

**ORDER OF BUSINESS
BOARD OF COUNTY COMMISSIONERS
BOARD MEETING
PALM BEACH COUNTY, FLORIDA**

AUGUST 16, 2011

**TUESDAY
9:30 A.M.**

**COMMISSION
CHAMBERS**

- 1. CALL TO ORDER**
 - A. Roll Call
 - B. Invocation
 - C. Pledge of Allegiance
- 2. AGENDA APPROVAL/SPECIAL PRESENTATIONS**
 - A. Additions, Deletions, Substitutions
 - B. Adoption
 - C. Special Presentations (Page 8)
- 3. CONSENT AGENDA (Pages 9 - 38)**
- 4. PUBLIC HEARINGS - 9:30 A.M. (Page 39)**
- 5. BOARD OF COUNTY COMMISSIONERS SITTING AS CHILD CARE FACILITIES BOARD – PUBLIC HEARING 9:30 A.M. (Child Care Facilities Rules & Regulations) (Page 40)**
- 6. BOARD OF COUNTY COMMISSIONERS SITTING AS CHILD CARE FACILITIES BOARD – REGULAR AGENDA (Family Day Care Rules & Regulations) (Page 41)**
- 7. REGULAR AGENDA (Pages 42 - 45)**
- 8. BOARD APPOINTMENTS (Pages 46 - 48)**
- 9. STAFF COMMENTS (Page 49)**
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- 2C-2 Certificate of Appreciation to South Florida Chapter of the National Association of Minority Contractors
- 2C-3 American Business Women's Day
- 2C-4 National Public Lands Day
- 2C-5 Palm Beach Partners Business Matchmaker Conference & Expo Day

CONSENT AGENDA

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- 3C-12 Change Order No. 17 with Ranger Construction Industries regarding Okeechobee Blvd construction (Royal Palm Beach High School entrance to Florida's Turnpike)

D. COUNTY ATTORNEY - None

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PUBLIC HEARINGS – 9:30 A.M.

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**BOARD OF COUNTY COMMISSIONERS SITTING AS CHILD CARE FACILITIES BOARD
PUBLIC HEARING 9:30 A.M.**

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5A Child Care Facilities Rules & Regulations

**BOARD OF COUNTY COMMISSIONERS SITTING AS CHILD CARE FACILITIES BOARD –
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REGULAR AGENDA

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AUGUST 16, 2011

2C. SPECIAL PRESENTATIONS – 9:30 A.M.

1. Center for Digital Government and NACo Award Presentation to Palm Beach County Board of County Commissioners.
2. Certificate of Appreciation presented to the South Florida Chapter of the National Association of Minority Contractors. (Commissioner Taylor)
3. Proclamation declaring August 27, 2011 as “American Business Women’s Day” in Palm Beach County. (Sponsored by Commissioner Marcus)
4. Proclamation declaring September 24, 2011 as “National Public Lands Day” in Palm Beach County. (Sponsored by Commissioner Abrams)
5. Proclamation declaring September 14, 2011 as “Palm Beach Partners Business Matchmaker Conference & Expo Day” in Palm Beach County. (Sponsored by Commissioner Taylor)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. **Staff recommends motion to approve:** payment in an amount not to exceed \$6,000 for participation in the Palm Beach Partners Business Matchmaker Conference & Expo to be held on September 14, 2011 at the Hilton Palm Beach Airport. **SUMMARY:** The Office of Small Business Assistance, Department of Airports and Palm Tran are participating with the South Florida Water Management District, School District of Palm Beach County, the City of West Palm Beach, the Center for Technology, Enterprise & Development, Inc. (TED Center) and the Paragon Foundation, Inc., to present the 2011 Business Matchmaker Conference & Expo (a statewide conference). This is the 5th Annual Matchmaker Conference & Expo held in Palm Beach County. Each participating entity will contribute \$2,000 and the County's contribution will be broken down as follows: the Office of Small Business Assistance (\$2,000), Department of Airports (\$2,000) and Palm Tran (\$2,000). Payment will be made on or before August 19, 2011 to the Education Foundation of Palm Beach County. The conference and expo will provide Small Business Enterprise owners an opportunity to collaborate with larger businesses in an effort to increase business opportunities and knowledge of programs offered by the above listed governmental partners. Countywide (TKF)
2. **Staff recommends motion to receive and file:** Resolution No. 187-11 of the City Commission of the City of West Palm Beach, Florida, urging Palm Beach County not to increase its millage rate for fiscal year 2011/2012. Countywide
3. **Staff recommends motion to ratify:** the signature of the Chair on the Certification Regarding Matching Funds on a grant agreement with the Florida Department of State in the amount of \$146,531.49 for fiscal year 2012 for federal election activities. **SUMMARY:** This grant agreement of \$146,531.49 from the Florida Department of State Division of Elections for the voter education, pool worker training, standardizing elections results reporting or other federal elections administrations activities in Palm Beach County as approved by the Department of State requires County matching funds in the amount of 21,979.72 (15%). Countywide (DMN)

B. CLERK & COMPTROLLER

1. **Staff recommends motion to approve:** Warrant List.
2. **Staff recommends motion to approve:** the following final minutes of the Board of County Commissioners' meetings: None
3. **Staff recommends motion to approve:** Contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller's Office. Countywide

C. ENGINEERING & PUBLIC WORKS

1. **DELETED**
2. **Staff recommends motion to adopt:** a Resolution to accept maintenance of Lyons Road, a thoroughfare road, from Southern Boulevard to 1,607 feet south, including the bridge over the C-51 canal (Project), at an estimated cost of \$1,932 annually. **SUMMARY:** Adoption of this Resolution will allow Palm Beach County to accept maintenance of the Project. The developer, Palm AFC Holding, Inc., was required to construct the Project per Condition E.5 of Resolution R2000-0899, Petition 1997-121, Palm Beach Plantation Development. District 6 (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

3. **Staff recommends motion to approve:** a Joint Participation and Project Funding Agreement (Agreement) with the City of Riviera Beach Utility Special District (District) in the amount of \$54,045.20 for utility adjustments at Blue Heron Boulevard and Congress Avenue. **SUMMARY:** Approval of this Agreement will allow Palm Beach County (County) and the District to jointly participate in the utility adjustments to the water distribution, sewage transmission system and other improvements along the right-of-way. The District agrees to reimburse the County for the cost of these utility adjustments and other improvements. District 7 (MRE)

4. **Staff recommends motion to approve:** a Joint Participation and Project Funding Agreement (Agreement) with the City of Riviera Beach Utility Special District (District) in the amount of \$22,733 for utility adjustments at Haverhill Road and Dyer Boulevard. **SUMMARY:** Approval of this Agreement will allow Palm Beach County (County) and the District to jointly participate in the utility adjustments to the water distribution, sewage transmission system and other improvements along the right-of-way. The District agrees to reimburse the County for the cost of these utility adjustments and other improvements. District 7 (MRE)

5. **Staff recommends motion to approve:** a Budget Transfer of \$100,000 in the Transportation Improvement Fund from Sweep Reserves to Military Trail from Clint Moore Road to Lake Worth Road (Project). **SUMMARY:** Approval of this Budget Transfer will increase funding for the Project which will improve the surface infrastructure by updating guardrails, Americans with Disabilities Act ramps, and resurfacing efforts on a major County thoroughfare. The Engineering Department has received a grant through the American Recovery and Reinvestment Act for the construction of this Project. However, several items included in the construction contract as well as testing services and staff costs are not eligible for grant reimbursement. Approval of this Budget Transfer will cover those additional costs. Districts 2, 3, 4 & 5 (MRE)

6. **DELETED**

7. **Staff recommends motion to approve:**
 - A)** finalization of the assessment roll at \$25 per abutting foot for Coconut Road Paving and Drainage Improvement Project No. 2005126 (Project), and to hereby authorize the Tax Collector's Office to process and collect the assessment payments; and
 - B)** transfer Coconut Road to a County-owned and maintained roadway.**SUMMARY:** Finalization of the assessment roll for the Project from Arden Street north to Lake Worth Road, (Section 30, Township 44 South, Range 43 East) is needed so the assessment payments can be processed and collected by the Tax Collector's Office. Coconut Road will be reclassified from a County courtesy maintained roadway to a County maintained roadway. District 2 (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

8. Staff recommends motion to approve:

A) a blanket approval for appraisal and acquisition of the lands, rights-of-way, and easements on all Fiscal Year 2011 projects as identified in the Mid Year Adjustment to the Five Year Road Program, as adopted on June 21, 2011; and

B) the employment of all experts, including but not limited to real estate appraisers, engineers, certified public accountants, business damage experts, and other experts deemed necessary to appraise and acquire the before mentioned lands, rights-of-way and easements.

SUMMARY: On June 21, 2011, the Board of County Commissioners adopted the Mid Year Adjustment to the Five Year Road Program for Fiscal Year 2011 through Fiscal Year 2015. Approval of this item will provide for the acquisitions necessary to accomplish the road goals set therein. Countywide (MRE)

9. Staff recommends motion to approve: Agreements with Kimley-Horn & Associates, Inc. (KHA) and Simmons & White, Inc. (S&W), to provide the necessary professional services for traffic signal design projects on a task order basis, for Palm Beach County-wide (County) projects, as required. **SUMMARY:** Approval of these agreements will provide the necessary professional services for traffic signal design projects throughout the County for all user departments. At the option of the County, these agreements may be renewed annually for a period of one (1) year, with a maximum of two (2) renewals. KHA and S&W both have offices in Palm Beach County. Countywide (MRE)

10. Staff recommends motion to approve: Agreements with Dunkelberger Engineering & Testing, Inc. (DET), Radise International, LLC (Radise) and Tierra South Florida, Inc. (TSF), to provide the necessary professional testing lab services on a task order basis, for Palm Beach Countywide (County) projects, as required. **SUMMARY:** Approval of these agreements will provide the necessary professional testing lab services throughout the County for all user departments. At the option of the County, these agreements may be renewed annually for a period of one (1) year, with a maximum of two (2) renewals. DET, Radise and TSF are Palm Beach County companies. Countywide (MRE)

11. Staff recommends motion to approve:

A) a Contract with DP Development of the Treasure Coast, LLC (DPD), in the amount of \$1,115,574.05 for the construction of Central Boulevard, Church Street to Longshore Drive (Project); and

B) a Budget Amendment of \$16,542 in the Road Impact Fee Fund – Zone 1 to recognize reimbursement funding from AT&T for \$2,875 and Loxahatchee River District for \$13,677 and appropriate it to Central Boulevard, Church Street to Longshore Drive.

SUMMARY: Approval of this Contract and Budget Amendment will allow Palm Beach County to issue a Notice to Proceed to DPD, a Palm Beach County company, to begin construction of the Project. The Palm Beach County Small Business Enterprise (SBE) goal for the Project is 15% overall. The SBE participation committed for the Project by DPD is 61.03%. District 1 (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

12. **Staff recommends motion to receive and file:** Change Order No. 17 in the amount of \$78,891.40 and a time extension of four (4) days to Contract Nos. 2000503 and 2000504 with Ranger Construction Industries, Inc., for construction of Okeechobee Boulevard from Royal Palm Beach High School Entrance to east of Florida's Turnpike. **SUMMARY:** Change Order No. 17 in the amount of \$78,891.40 is necessary for the modifications to the City of West Palm Beach Utilities Department facilities at various locations on Okeechobee Boulevard. Change Order No. 17 also includes a four (4) day time extension. This Receive and File is being brought to the Board of County Commissioners because Change Order No. 17 exceeds the project's \$250,000 cumulative threshold as referenced in PPM-CW-F-50. Districts 2 & 6 (MRE)

E. COMMUNITY SERVICES

1. **Staff recommends motion to approve:** Consulting/Professional Services Contracts with Palm Beach County Health Department, for the period of June 21, 2011, through September 30, 2011, for the following amounts:

- A) \$5,000 for Early Head Start services, and
- B) \$5,000 for Head Start services.

SUMMARY: The Division of Head Start has received funds from the Department of Health and Human Services (HHS) to provide dental services. As a result, Head Start is contracting with the Palm Beach County Health Department to provide dental health services to Head Start and Early Head Start children. The contract is funded through a combination of Federal grant and County funds. (Head Start) Countywide (TKF)

2. **Staff recommends motion to ratify:** the Chair's signature on a Refunding Grant Application to the U.S. Department of Health and Human Services (HHS), Administration for Children and Families, for the period of October 1, 2011, through September 30, 2012, in the amount of \$15,042,969, and for the period September 29, 2011, through March 30, 2012, expansion funding of \$1,083,486, for the Head Start/Early Head Start Programs. **SUMMARY:** The FY 2011- 2012 Full Day/Full Year Head Start/Early Head Start Program will provide comprehensive child development services to 2,296 children and their families in Palm Beach County. The emergency signature process was used because there was insufficient time to submit the item through the regular agenda process. There are additional funds in the program budget which include obligations of County ad valorem and overmatch, Children's Services Council, and in-kind as indicated below. The County share is included in the proposed FY 2012 budget. (Head Start) Countywide (TKF)

Federal Funds	\$16,126,455
Required County Match	\$3,567,588
Children's Services Council	\$454,964
County Overmatch	\$3,946,432
In-Kind (non cash)	\$9,063
Total Budget	\$24,104,502

3. **DELETED**

4. **DELETED**

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

5. Staff recommends motion to:

A) receive and file Amendment No. 004 to Contract Renewal No. IC010-9500 (R2010-1229) for Community Care for the Elderly (CCE) with Area Agency on Aging (AAA) of Palm Beach/Treasure Coast, Inc., for the period July 1, 2010, to June 30, 2011, to increase the agreement amount by \$8,137 for a new total not-to-exceed \$1,078,821 and to revise Attachment II CCE Agreement Budget Summary;

B) receive and file Amendment No. 005 to Contract Renewal No. IC010-9500 (R2010-1229) for CCE with AAA, for the period July 1, 2010, to June 30, 2011, to revise agreement language, pertaining to renewals, that was inadvertently omitted when the original agreements were drafted by the AAA;

C) receive and file Amendment No. 004 to Contract Renewal No. IH010-9500 (R2010-1227) for Home Care for the Elderly (HCE) with AAA, for the period July 1, 2010, to June 30, 2011, to revise Attachment II HCE Agreement Budget Summary showing a shift in funds between subsidies and case management;

D) receive and file Amendment No. 005 to Contract Renewal No. IH010-9500 (R2010-1227) for HCE with AAA, for the period July 1, 2010, to June 30, 2011, to revise agreement language, pertaining to renewals, that was inadvertently omitted when the original agreements were drafted by the AAA;

E) receive and file Amendment No. 003 to Contract Renewal No. IZ010-9500 (R2010-1231) for Alzheimer's Disease Initiative (ADI) with AAA, for the period July 1, 2010, to June 30, 2011, to revise agreement language, pertaining to renewals, that was inadvertently omitted when the original agreements were drafted by the AAA;

F) receive and file Amendment No. 002 to Contract Renewal No. IR010-9500 (R2010-1233) for Respite for the Elderly Living in Everyday Families (RELIEF) with AAA, for the period July 1, 2010, to June 30, 2011, to revise agreement language, pertaining to renewals, that was inadvertently omitted when the original agreements were drafted by the AAA;

G) receive and file Amendment No. 004 to Standard Agreement No. IP010-9500 (R2010-0842) for Emergency Home Energy Assistance for the Elderly Program (EHEAP) with AAA, for the period April 1, 2010, to August 31, 2011, to increase the agreement amount by \$10,000 for a new total not-to-exceed \$167,038, and to amend Paragraphs 1.A, 1.D, 1.B.2, 1.B.3, 4.C, and Attachment I; and revise and replace Attachment II Agreement Report Schedule and Amendment V Statistical Report;

H) receive and file Amendment No. 001 to Standard Agreement No. IU011-9500 (R2011-0465) for Nutrition Services Incentive Program (NSIP) to provide updated DOEA Forms (117 and 118 Attachment VII Request for Reimbursement and Monthly Meal Report) for documentation of payment with the AAA, for the period October 1, 2010, to September 30, 2011; and

I) approve a Budget Amendment amount of \$16,033 in the DOSS Administration Fund to reconcile the budget to the actual grant award.

SUMMARY: AAA employee Jamie Estremera-Fitzgerald, serves on a County Advisory Board, the Criminal Justice Mental Health & Substance Abuse Planning Council. The Board/Council provides no regulation, oversight, management, or policy-setting recommendations regarding the AAA contract. Disclosure of this contractual relationship at a duly noticed public meeting is being provided in accordance with the provisions of Sect. 2-443, of the Palm Beach County Code of Ethics. These receive and file items are being submitted in accordance with Countywide PPM No. CW-0-051

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

5. **SUMMARY: (Continued)**

to allow the Clerk's Office to note and receive the executed agreement. Amendments were executed by the County Administrator in accordance with Resolution R2010-1942, which delegated authority to the County Administrator, or his designee, to sign documents related to DOSS/ AAA grant amendments. In the area south of Hypoluxo Road, the Mae Volen Senior Center, Inc. provides services under a similar AAA grant. (DOSS) Countywide except for portions of Districts 3, 4, 5, and 7 south of Hypoluxo Rd (TKF)

6. **Staff recommends motion to approve:** Standard Contract No.Y2119 for the Adult Care Food Program (ACFP) with the Florida Department of Elder Affairs (DoEA) for the period October 1, 2011, through September 30, 2012, in an amount not-to-exceed \$85,500. **SUMMARY:** The ACFP provides meal reimbursements to approved providers for servicing eligible adult participants. Under this Contract, DOSS will be reimbursed \$85,500 to continue serving meals and snacks to eligible Adult Day Care clients age 60 and older. The ACFP is a component of the federally funded Child and Adult Care Food Program, operated nationally by the USDA and administered, at the state level, by the DoEA. No County match is required. (DOSS) Countywide (TKF)

7. **Staff recommends motion to:**

A) approve the State of Florida Voluntary PreKindergarten (VPK) Education Program Statewide Provider Agreement and Registration Application with the Early Learning Coalition of Palm Beach County, for the period of October 1, 2011, through June 30, 2012, in approximate amount of \$1,246,669, to provide VPK services to 560 children for 540 hours per child per year; and

B) authorize the County Administrator or designee to sign necessary documents regarding the VPK Program.

SUMMARY: The FY 2011- 2012 VPK Program will provide early childhood services to 560 four-year olds currently enrolled in 10 of the County's Head Start centers: Boynton Beach, Delray Beach, Jupiter, Lake Worth, Pahokee, Palm Glades, Riviera Beach, South Bay, Westgate and West Palm Beach. Due to the many documents required by the Grantor, the delegation of signing authority by the County Administrator or his designee is being requested to expedite signed documents getting to the Grantor. The VPK reimbursement rate is \$2,473.55 for 540 hours per child per year. No County match is required. (Head Start) Countywide (TKF)

8. **Staff recommends motion to approve:** Amendment No. 001 to Contract Renewal No. XI312 (R2011-0869) for the Senior Companion Program (SCP) with the Florida Department of Elder Affairs (DoEA) for the period July 1, 2011, through June 30, 2012, to decrease the agreement amount to \$4,142, and to revise and replace contract paragraphs and attachments. **SUMMARY:** This Amendment is being processed at the request of the DoEA. The Amendment reduces allocated funding from \$4,459 to \$4,142 and modifies various standard contract provisions. There is no change in the scope of the program and/or services. No County match is required. (DOSS) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. **Staff recommends motion to approve:** Change Order No. 6 to the contract with West Construction, Inc. decreasing the contract in the amount of \$141,048.06 for the Corporate Hangar Buildings E & F Project at North Palm Beach County General Aviation Airport. **SUMMARY:** On March 17, 2009, the Board of County Commissioners approved the contract with West Construction, Inc. for the Corporate Hangar Buildings E & F Project in the amount of \$2,983,687.99 with a contract time of 310 calendar days (R2009-0409). Change Orders No 1-5 were approved in accordance with PPM No. CW-F-050 in the amount of \$84,344.03 and a contract time extension of 16 calendar days. Approval of Change Order No. 6 will decrease the contract amount by \$141,048.16 with no change in the contract time. The Small Business Enterprise (SBE) goal for this contract was established at 15%. The total SBE contract participation including all change orders is 81.06%. Countywide (JCM)
2. **Staff recommends motion to adopt:** a Resolution approving a Joint Participation Agreement (JPA) with the Florida Department of Transportation (FDOT) in the amount of \$7,786,000 to upgrade and expand baggage facility at Palm Beach International Airport (PBIA). **SUMMARY:** The FDOT has issued a JPA reflecting their commitment of funding to the above referenced project in the amount of \$7,786,000 or 50.00% of the eligible project costs, whichever is less. Countywide (AH)
3. **Staff recommends motion to adopt:** a Resolution approving a Joint Participation Agreement (JPA) with the Florida Department of Transportation (FDOT) in the amount of \$75,000 for an Airport Strategic Business Development Plan (Phase II) at Palm Beach International Airport (PBIA). **SUMMARY:** The FDOT has issued a JPA reflecting their commitment of funding to the above referenced project in the amount of \$75,000 or 50.00% of the eligible project costs, whichever is less. Countywide (AH)
4. **Staff recommends motion to adopt:** a Resolution approving a Joint Participation Agreement (JPA) with the Florida Department of Transportation (FDOT) in the amount of \$525,000 for Concourse B Terminal Ramp and taxi-lane at Palm Beach International Airport (PBIA). **SUMMARY:** The FDOT has issued a JPA reflecting their commitment of funding to the above referenced project in the amount of \$525,000 or 50.00% of the eligible project costs, whichever is less. Countywide (AH)
5. **Staff recommends motion to adopt:** a Resolution approving a Joint Participation Agreement (JPA) with the Florida Department of Transportation (FDOT) in the amount of \$1,025,000 for miscellaneous taxiway rehabilitation and repair at Palm Beach International Airport (PBIA). **SUMMARY:** The FDOT has issued a JPA reflecting their commitment of funding to the above referenced project in the amount of \$1,025,000 or 50.00% of the eligible project costs, whichever is less. Countywide (AH)
6. **Staff recommends motion to adopt:** a Resolution approving a Joint Participation Agreement (JPA) with the Florida Department of Transportation (FDOT) in the amount of \$494,152 to construct hangars at North Palm Beach County General Aviation Airport. **SUMMARY:** The FDOT has issued a JPA reflecting their commitment of funding to the above referenced project in the amount of \$494,152 or 80.00% of the eligible project costs, whichever is less. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

7. Staff recommends motion to adopt: a Resolution approving a Joint Participation Agreement (JPA) with the Florida Department of Transportation (FDOT) in the amount of \$500,000 for southside pavement and infrastructure improvements at Palm Beach County Park Airport. **SUMMARY:** The FDOT has issued a JPA reflecting their commitment of funding to the above referenced project in the amount of \$500,000 or 80.00% of the eligible project costs, whichever is less. Countywide (AH)

8. Staff recommends motion to adopt: a Resolution approving a Joint Participation Agreement (JPA) with the Florida Department of Transportation (FDOT) in the amount of \$2,310,000 for terminal apron rehabilitation and taxi-lane construction at Palm Beach County Glades Airport. **SUMMARY:** The FDOT has issued a JPA reflecting their commitment of funding to the above referenced project in the amount of \$2,310,000 or 80.00% of the eligible project costs, whichever is less. Countywide (AH)

9. Staff recommends motion to delegate: authority to the County Administrator or his designee to accept and approve an Other Transaction Agreement with the Department of Homeland Security/Transportation Security Administration (DHS/TSA) for work associated with improvements to the checked baggage screening system at Palm Beach International Airport (PBIA) in an amount not to exceed \$31,500,000. **SUMMARY:** The Department of Airports (DOA) is currently in the preliminary planning, programming and design phase for improvements to the existing baggage handling system at PBIA. A portion of the overall project includes improvements to the Checked Baggage Inspection System screening matrix area to provide full in-line checked baggage screening capabilities at the Airport, as well as the installation of the newest-technology Explosive Detection System equipment for use by the Transportation Security Administration (TSA). Although the final cost estimate has not yet been accepted by the TSA, at the present time the estimated allowable TSA reimbursable costs are approximately \$31,500,000, which will be reimbursed by the DHS/TSA at a participation percentage of ninety percent (90%). The formal acceptance of this funding, including all rights and responsibilities of all parties to the agreement, is handled through the execution of an Other Transaction Agreement. Based on the tight timeframes to secure this funding following the final acceptance of the cost estimate by the TSA, the DOA is requesting approval of the delegation of authority to the County Administrator or his designee to execute an Other Transaction Agreement on behalf of the Board of County Commissioners in an amount not to exceed \$31,500,000. Countywide (HJF)

10. Staff recommends motion to approve: Terminal Building Lease Agreement (Lease) with the General Services Administration (GSA), an executive agency of the United States of America, for the lease of approximately 10,370 square feet of space within the Palm Beach International Airport (PBIA) Terminal Building, at an initial annual rental of \$681,386.22, plus reimbursement of construction costs in the amount of \$64,740, for an initial term of five (5) years, becoming effective upon approval by the Board. **SUMMARY:** The Lease provides for the lease of office and support space for the Transportation Security Administration (TSA). The Lease combines the areas leased under two (2) existing lease agreements with GSA (R2003-0355/R2007-0855) and adds approximately 825 square feet of new space. The new space will be built-out at the County's expense for an amount not to exceed \$64,740, which will be reimbursed by GSA over the initial term of the Lease in equal monthly installments plus interest at a rate of 5% per year. The Lease provides for one (1) – three (3) year renewal option. The existing lease agreements will be terminated upon approval of this Lease. Countywide (HJF)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

11. **Staff recommends motion to approve:** Agreement for Modification (Modification) with the Florida Department of Juvenile Justice (DJJ), modifying the Lease Agreement (R2007-0482) (Lease) to extend the term of the Lease to a month-to-month basis, not to exceed eleven (11) months for rental in the amount of \$24,100.83 per month, becoming effective October 1, 2011. **SUMMARY:** On April 10, 2007, the Board approved the Lease with DJJ (R2007-0482). The Lease expires September 30, 2011. The Modification extends the term of the Lease on a month-to-month basis for the monthly rental payment of \$24,100.83. The Modification incorporates an addendum whereby the County agrees to enroll and participate in the Employment Eligibility Verification Program (E-Verify) pursuant to State of Florida Executive Order 11-116. Countywide (HJF)
12. **Staff recommends motion to receive and file:** six (6) original documents for the Department of Airports:
- A)** Consent to Sublease for Galaxy Aviation of Palm Beach, Inc. and Ragtime Investments Corp., (hangar), commencing June 1, 2011 (HF);
 - B)** Consent to Sublease for Galaxy Aviation of Palm Beach, Inc. and Ragtime Investments Corp., (office), commencing June 1, 2011 (HF);
 - C)** Consent to Sublease for Galaxy Aviation of Palm Beach, Inc. and Regent Jet Management, LLC, commencing June 13, 2011 (HF);
 - D)** Consent to Sublease for Piedmont Hawthorne Aviation LLC, d/b/a Landmark Aviation and Aston Auto LLC, commencing June 1, 2011 (HF);
 - E)** Consent to Sublease for Piedmont Hawthorne Aviation LLC, d/b/a Landmark Aviation and North County Flight Training, commencing April 15, 2011 (HF); and
 - F)** Consent to Sublease for Piedmont Hawthorne Aviation LLC, d/b/a Landmark Aviation and Richard Wheeler, commencing June 1, 2011 (AH);
- SUMMARY:** Delegation of authority for execution of the standard County documents above was approved by the Board of County Commissioners in R1994-1453. Countywide
13. **Staff recommends motion to receive and file:** three (3) original documents for the Department of Airports:
- A)** License Agreement with Centerport, Inc., for use of property solely and exclusively for parking of operable trailers and vehicles owned or leased by Licensee in connection with cargo operations, commencing July 1, 2011, expiring December 31, 2011;
 - B)** License Agreement with DTG Operations, Inc., to use property solely and exclusively for parking of rental vehicles and other vehicles owned or leased by Licensee, commencing May 1, 2011, expiring May 31, 2011, automatically renewed for one (1) month intervals thereafter, and shall not be renewed or otherwise extended beyond July 31, 2011; and
 - C)** License Agreement with Galaxy Aviation of Palm Beach, Inc., to use property solely and exclusively for parking of aircraft owned or leased by customers and subtenants of Licensee, commencing May 9, 2011, expiring September 30, 2011.
- SUMMARY:** Delegation of authority for execution of the standard County documents above was approved by the Board of County Commissioners in R2006-2086 and R2007-2070. Countywide (HF)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

14. Staff recommends motion to receive and file: one (1) original document for the Department of Airports:

Hotel-Motel Courtesy Shuttle Operator Permit with RLJIII-HA West Palm Beach Airport Lessee, LLC d/b/a Hampton Inn West Palm Beach Airport, and RLJIII-HG West Palm Beach Airport Lessee, LLC d/b/a Hilton Garden Inn West Palm Beach Airport commencing July 14, 2011, terminating September 30, 2011, automatically renewing on a yearly basis (10/1 through 9/30).

SUMMARY: Delegation of authority for execution of these standard County contracts/agreements/grants above was approved by the Board of County Commissioners in R2010-0707. Countywide (AH)

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to:

A) approve request by Palm Beach County Tax Collector, Anne M. Gannon, for Board of County Commissioners to order the 2011 tax roll to be extended prior to completion of the Value Adjustment Board hearings; and

B) direct the Value Adjustment Board to certify the assessment roll as required by State Statutes.

SUMMARY: Approval of this request will avoid a delay in the issuance of tax notices beyond November 1, 2011, and will permit the collection of property taxes prior to completion of the Value Adjustment Board hearings. Countywide (PFK)

2. Staff recommends motion to approve:

A) Budget Amendment of \$30,391,407 in the \$15M Public Improvement Revenue Bonds, Series 2011 (Ocean Avenue Lantana Bridge) capital fund to budget bond proceeds, costs of issuance and a transfer to the \$15 M Public Improvement Revenue Bonds, Series 2011 (Max Planck Florida Corporation Project) Capital Fund; and

B) Budget Amendment of \$15,615,000 in the \$15M Public Improvement Revenue Bonds, Series 2011 (Max Planck Florida Corporation Project) capital fund to record the transfer from the \$15M Public Improvement (Ocean Avenue Lantana Bridge) capital fund and set up the County's grant payment to Max Planck Florida Corporation.

SUMMARY: On July 19, 2011, the Board approved the sale of the \$30,391,407 Public Improvement Revenue Bonds, Series 2011 (Ocean Avenue Lantana Bridge and Max Planck Florida Corporation Projects) to SunTrust Bank. These budget amendments set up the budget for the sale of the Series 2011 Bonds, the capital project funds and the costs of issuance for the bonds. Countywide (PFK)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. **Staff recommends motion to approve:** Amendment No. 3 to Contract with The BG Group, LLC (R2008-1055) to implement the third renewal of the annual Demolition contract with a maximum value of \$500,000. **SUMMARY:** Amendment No. 3 is a renewal to the Annual Contract Demolition which was awarded to The BG Group, LLC. The contractor will continue to perform on demolition projects for various facilities. The annual Demolition contract is an indefinite-quantity contract and this renewal has a maximum value of \$500,000. The renewal term is for twelve (12) months or until \$500,000 in work orders are issued in this term. Staff is bringing forward the amendment at this time based on expiration of the term retroactive to June 15, 2011 and extending through June 14, 2012. All terms of the original contract remain in effect. This is the third of four extensions allowed by the Contract. Small Business Enterprise (SBE) participation goal for this contract is 15%. The BG Group's SBE participation for work orders issued to date is 94%. The BG Group, LLC is a Palm Beach County company and a certified SBE contractor. (FDO Admin) Countywide (JM)

2. **Staff recommends motion to approve:** Contract with Kast Construction III, LLC in the amount of \$2,806,000 for the construction of Fire-Rescue Station No. 72. **SUMMARY:** This Contract will provide for construction of a new 7,400 square foot fire station with associated site work located on South Lake Avenue in Pahokee. This project is being funded from ad valorem taxes through the Fire Rescue MSTU. This station is required in order to provide a facility meeting Fire-Rescue's standards and maintain acceptable response times. The fire station will be constructed to comply with USGBC (LEED) standards. The Small Business Enterprise (SBE) goal for this project is 15%. Kast Construction's bid includes SBE participation of 30.6%. Kast Construction is a Palm Beach County business utilizing 33% Glades area subcontractors. The contract time is 395 calendar days to substantial completion. (Capital Improvements Division) District 6 (JM)

3. **Staff recommends motion to approve:** Amendment No. 10 to the contract with Hedrick Brothers Construction (R2007-1506), for construction management services for various capital projects. **SUMMARY:** Hedrick Brothers Construction was selected to provide construction management services associated with the design and construction of various capital projects which may include new construction, additions, or renovations from \$400,000 to \$25,000,000. Work is authorized through individual task agreements when required during the term of this contract. The Board approved an annual contract on September 11, 2007. The original contract provided for an initial two (2) year term with three (3) - one (1) year renewal options. This Amendment would provide for services during the third renewal period. Hedrick Brothers Construction has a Small Business Enterprise (SBE) participation goal of 15%. During the four years of the contract, Hedrick Brothers Construction has achieved 28.6% participation. Hedrick Brothers Construction is a Palm Beach County company and is using local subcontractors for the work. (Capital Improvements Division) Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

4. **Staff recommends motion to approve:** Job Order Contract (JOC) Work Order No. 110116 with Sisca Construction Services, LLC (R2010-0803) in the amount of \$231,056.66 for the removal and replacement of two (2) air handlers on the 2nd floor of the State Attorney/Public Defender's (SA/PD) Building in West Palm Beach. **SUMMARY:** The scope of this multi-discipline project consists of engineering and installation of integrated automation systems necessary to replace two existing Heating Ventilation Air Conditioning (HVAC) air handler units, including associated plumbing and electrical, with new units on the second floor of the SA/PD Building. The existing equipment is more than 20 years old and at the end of its useful life. It has become increasingly expensive to maintain as parts are no longer readily available which is impacting service delivery at this location. The new equipment will increase efficiency and reduce energy consumption. The Small Business Enterprise (SBE) goal is 15%. The SBE participation in this work order is 48.8%. When the participation for this work order is added to Sisca Construction Services, LLC's total participation to date, the resulting SBE participation is 58.6%. The total construction duration is 60 days from issuance of permit. The funding for this project is from the Five Year Capital Improvement Program/ Renewal/Replacement Fund. Sisca Construction Services, LLC is a Palm Beach County company. (Capital Improvements Division) District 7 (JM)

5. **Staff recommends motion to approve:** an Interlocal Agreement with the Town of Juno Beach (Town) to acquire a portable tower system for \$8,000. **SUMMARY:** This Interlocal Agreement is for the County's purchase of a SOLARTECH BSPTT-42 portable tower system, together with its related accessories (Portable Tower). The Town recently discontinued its Public Subscriber wireless network and it is therefore offering the Portable Tower to the County. The County negotiated a purchase price of \$8,000. The Interlocal Agreement provides that: (i) the Town transfer title and deliver possession of the Portable Tower by September 15, 2011; (ii) the County accept the Portable Tower in "as is" condition; and (iii) the County pay for all transfer costs estimated to be less than \$100. The Portable Tower is an asset that can be used by the County for communication connectivity in a variety of circumstances such as: (i) during disaster recovery to provide local communications by either voice or data in a logistical staging area or to a highly impacted area; (ii) to connect a County facility that has lost regular communication services; or (iii) during special events. The County's Information Systems Services, Network Services Division tested or inspected the Portable Tower to confirm that it is in good condition. The Town approved this Interlocal Agreement on July 27, 2011. (ESS) District 1 (JM)

6. **Staff recommends motion to approve:** a Second Amendment to the Agreement (R2006-0346) with the Sheriff of Broward County (Broward), the Sheriff of Monroe County (Monroe) and the City of Miami (Miami) to retroactively extend the term of the Agreement to February 27, 2016. **SUMMARY:** The Agreement which provides the terms and conditions under which Broward, Monroe and Miami can program into their radios and utilize each other's common talk groups for certain types of inter-agency communications, expired on February 27, 2011. The Agreement provides for three (3) renewal options, each for a period of five (5) years. Each party must approve the renewal option. Each party has approved the renewal to retroactively extend the term of the Agreement to February 27, 2016. The renewal now requires Board approval. All parties have been in continuous compliance with the terms of the Agreement, but were slow in processing. As such, Staff is recommending approval retroactive to that date. There are no charges associated with this Agreement. Each party is required to pay all costs associated with its subscriber units and to comply with the established operating procedures for each system. The Agreement may be terminated by each party, with or without cause. This Second Amendment renews the term, modifies the Agreement to include Miami as a Participating Agency, updates each party's day to day contact information and notice provision. Other than the changes set forth herein, all other terms remain the same. (ESS) Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

7. **Staff recommends motion to approve:** seven (7) annual contracts for the construction of pavilions, shelters, and sheds with the following pre-qualified contractors:

- A) Andrea Construction, Inc.
- B) AWM Construction, Inc.
- C) Carrick Contracting Corporation
- D) Fastrack Management & Consulting, Inc.
- E) Playspace Services, Inc.
- F) Robling Architecture Construction, Inc.
- G) Joe Schmidt Construction, Inc.

SUMMARY: The work consists of the construction of picnic pavilions, shelters, or storage sheds and associated site improvements. These continuing contracts are for one (1) year and are indefinite-quantity contracts with maximum values of \$499,999. Individual contracts will expire unless renewed per the terms of the contract when a total of \$499,999 in work orders is issued against any combination of all contracts or when the one-year time frame has expired, whichever occurs first. These contracts provide for up to four (4) - one (1) year renewals, each for a not-to-exceed amount of \$499,999, at the sole option of the County. The work is to be awarded as work orders on a lump-sum, competitively quoted basis among the pool of seven (7) general contractors. All contractors are Palm Beach County companies with the exception of AWM Construction, Inc. and Playspace Services, Inc. The goal for Small Business Enterprise (SBE) participation is 15%. When bids are received from the pre-qualified firms under this contract, local and SBE preferences will be evaluated and applied at that time. (Capital Improvements Division) Countywide (JM)

8. **Staff recommends motion to approve:** Work Order 11-021 with Farmer & Irwin Corporation (R2010-0066) in the amount of \$337,990 for the replacement of two (2) rooftop chilled water air handlers at the Main Detention Center (MDC). **SUMMARY:** The scope of this contract consists of the installation of two (2) new 25 ton rooftop air handler units, with electronic controls, new isolation valves, and insulation of exterior ductwork. The existing equipment is more than 20 years old and at the end of its useful life. The project is budgeted as part of the five (5) year Countywide Repair, Replacement, and Renovation program. This work was competitively bid amongst the pool of annual Heating, Ventilation, Air Conditioning (HVAC) Contractors with Farmer & Irwin Corp. submitting the lowest, responsive, responsible bid. The Small Business Enterprise (SBE) participation for this Work Order is 0%. When participation for this Work Order is added to the total participation in the HVAC Annual Contract, the resulting value is 55%. The total construction duration for this project is 180 days. Farmer & Irwin Corp. is a Palm Beach County company. (Capital Improvements Division) Countywide/District 2 (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

9. **Staff recommends motion to approve:** a Contract with D.S. Eakins Corporation in the amount of \$287,000 to provide required on-going maintenance at the County's Mecca Property (a/k/a the Scripps site). **SUMMARY:** The Contract consists of mowing maintenance, canal cleaning, and road maintenance for a one (1) year period. The mowing of the property is required to maintain and control exotic overgrowth and improve site security by keeping vegetation low enough to spot trespassers. Canal cleaning is necessary to ensure proper drainage and the road maintenance is necessary to allow access to WUD's pump station, the fuel tanks at the water control pump stations and for security. Maintenance of the property will support the development potential and associated value of the property. This Contract is funded from the General Fund. The Small Business Enterprise (SBE) goal is 15%. The SBE participation in this Contract is 15%. The contract duration is 365 days. The contract was competitively bid and D.S. Eakins Corporation is a Palm Beach County company. (Capital Improvements Division) Countywide/District 1 (JM)

10. **Staff recommends motion to approve:** the Cherry Road Complex Plat in unincorporated West Palm Beach. **SUMMARY:** The County acquired title to 19.62 acres on the north side of Cherry Road between North Congress Avenue and North Military Trail in unincorporated West Palm Beach from The King's Academy, Inc. in January 2003. Two (2) buildings are currently being used by the Sheriff's Office on a permanent basis and there is sufficient land to accommodate the remainder of the County's warehouse and light industrial facility requirements once capital funding is available. As a condition of the previously approved rezoning, the property is required to be platted. The County is signing the plat as the property owner. (PREM) District 2 (HJF)

11. **Staff recommends motion to accept:** a Quit Claim Deed from the Lake Worth Drainage District (LWDD) conveying the platted roadway portion of the former L-9 Canal in Okeeheelee Park South in unincorporated Greenacres. **SUMMARY:** The 800-acre Okeeheelee Park South, located at 7500 Forest Hill Boulevard, between Pinehurst Drive and Florida's Turnpike in unincorporated Greenacres, was acquired from the State of Florida in 1996. In 1976, LWDD agreed to abandon and vacate any interest it had in the L-9 Canal and conveyed the land to the State of Florida as the abutting property owner and subsequently the State's property interests were conveyed to the County. However, the legal description for the abandonment did not include the platted roadway acquired by LWDD as part of the canal acquisition. The platted roadway is approximately 917 feet long and 30 feet wide and contains 25,565 square feet (0.59 acres). The Quit Claim Deed will clear the title to the abandoned roadway and benefit the development of the Park. LWDD is conveying the land to the County at no cost. (PREM) District 6 (HJF)

12. **Staff recommends motion to approve:** a Sovereignty Submerged Lands Lease Renewal (No. 500012026) with the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida (TIITF) for docks at Phil Foster Park for \$6,054.11 a year. **SUMMARY:** The County currently leases 38,654 square feet (.89 acres) of sovereign submerged lands from TIITF at Phil Foster Park. The lease allows for use of the submerged lands for mooring of recreational vessels, personal watercraft rentals, law enforcement marine unit vessels, a water taxi service, and a private dive boat operation. This renewal will extend the term of the lease for five (5) years and will expire on April 1, 2016. The annual rent is \$6,054.11, with annual increases pursuant to provisions of Rule 18-21.011, Florida Administrative Code. This Lands Lease requires a processing fee of \$581, which will be paid separately by the Parks and Recreation Department (Parks). (PREM) District 1 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

13. Staff recommends motion to approve: a Bill of Sale to transfer the title to the doublewide modular classroom, Asset No.1010200990, to the South Florida Fair and Palm Beach County Expositions, Inc. ("Fair") pursuant to the First Restatement of Lease Agreement with the Fair (R2009-1668). **SUMMARY:** On October 6, 2009, the Board approved the First Restatement of Lease Agreement with the South Florida Fair and Palm Beach County Expositions, Inc. providing the Palm Beach Community College ("College") sole use of the driver training facility constructed by the County at the South Florida Fairgrounds on Southern Boulevard. The First Restatement: (i) assigned responsibilities to the College; (ii) transferred improvements to the Fair; (iii) provided the Fair an option to take possession of the modular at no charge in its "As-Is" condition upon expiration of the lease; and (iv) if the option is exercised, required County to transfer title of the modular to the Fair. The Lease expired on June 30, 2011. The modular is beyond its useful life and the cost to remove it would exceed its estimated market value. If the Fair were to decline to take the modular, the County will be responsible for removing it and restoring the premises at its sole cost which was why the County was agreeable to including this provision in the First Restatement. (PREM) District 6 (HJF)

14. Staff recommends motion to approve:

A) Job Order Contract (JOC) Work Order No. 11-140 with F.H. Paschen, SN Nielsen & Associates, LLC (R2010-0752) in the amount of \$220,699.38 for renovation and conversion of various portions of the Supervisor of Elections (SOE) offices; and

B) a Budget Amendment of \$30,000 in the Public Building Improvement Fund to recognize revenue from the SOE to increase the project budget.

SUMMARY: Having completed and occupied the Voter Equipment Center (VEC) in leased space in unincorporated Riviera Beach, the SOE has received approval by the Board (March 15, 2011) to renovate various portions of the County-owned facility located on Military Trail to better meet the Supervisor's identified needs and service delivery strategy. Specifically the project will: 1) renovate the existing training room into a public space serving absentee voting function (public counter and six workstations), 2) create a new training center in the existing storage area in the warehouse, 3) create a new records storage area within the warehouse, 4) create an early voting areas within the existing warehouse by adding a storefront in place of one of the existing roll-up doors, and 5) create new restrooms which are required based on the new occupancy. The increase to the project budget is necessary as the final design resulted in additional code related work (life safety) not anticipated in the preliminary design which was the basis of the March 2011 estimate. The Small Business Enterprise (SBE) goal is 15%. The SBE participation in this Work Order is 48%. When the participation for this Work Order is added to F.H. Paschen's total participation-to-date, the resulting SBE participation is 32.4%. F.H. Paschen, SN Nielsen & Associates, LLC is a Miami-Dade company using local subcontractors for 80% of the work. The total construction duration is 60 days. The funding for this project is from the Public Building Improvement Fund using funding received from the Supervisor of Elections' budget. (Capital Improvements) Countywide/District 2 (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

15. Staff recommends motion to approve: **A)** Change Order No. 165 to the contract with Moss & Associates, LLC (R2007-0031) decreasing the Guaranteed Maximum Price (GMP) for the West County Detention Facility Amendment No. 1 (Demucking and Earthwork; original contract value \$10,990,137) by \$289,011.62;

B) Change Order No. 166 to the contract with Moss & Associates, LLC (R2007-0031) decreasing the Guaranteed Maximum Price (GMP) for the West County Detention Facility Amendment No. 8 (Central Video Visitation; original contract value \$4,832,770) by \$582,440.27;

C) Change Order No. 167 to the contract with Moss & Associates, LLC (R2007-0031) decreasing the Guaranteed Maximum Price (GMP) for the West County Detention Facility Amendment No. 2 (Site Utility and Demolition; original contract value \$4,001,795) by \$402,931.56;

D) Change Order No. 169 to the contract with Moss & Associates, LLC (R2007-0031) decreasing the Guaranteed Maximum Price (GMP) for the West County Detention Facility Amendment No. 4 (Out Buildings; original contract value \$18,819,143) by \$457,688.59; and

E) Change Order No. 170 to the contract with Moss & Associates, LLC (R2007-0031) decreasing the Guaranteed Maximum Price (GMP) for the West County Detention Facility Amendment No. 5 (Roadway and Parking Improvements; original contract value \$2,108,442 by \$134,696.26.

SUMMARY: The Board has approved seven (7) amendments each implementing a construction project or sub-project associated with Phase 1 Jail Expansion Program 2 (JEP2) – Phase 1. Five (5) of the eight (8) amendments associated with the jail facility have been completed and the final costs reconciled with one amendment (C Pod Renovations) having already been closed out and the last amendment was just awarded in June, 2011 (West County Courthouse Expansion and Renovations). The savings are due to the return of unused allowances, unused owner's contingency resulting from buy-out savings and reconciliation of sales tax recovery purchase orders, and efficiencies in general condition costs due to the overlapping of the various amendments. The Small Business Enterprise (SBE) participation goal for this project is 15%. Moss & Associates currently has obtained 16.4% SBE participation. The amendments were funded from the Criminal Justice and Public Improvement Revenue Bond Series 2008 and all savings will accrue to the program contingency. Ultimately, the funds being will be needed to fully fund the two (2) remaining JEP2 projects: Stockade Infrastructure and Site Redevelopment and Main Jail Video Visitation System Phase I Implementation. These two (2) projects were planned to be completed as part of future borrowings in support of Phase 2 and 3 of the JEP 2 approved by the Board in 2006, but were added to Phase 1 in 2010 in order to allow for JEP 2- Phase 1 to "stand alone" operationally (independent of Phases 2 and 3) allowing for the indefinite postponement of JEP 2 Phases 2 and 3 and associated borrowings. In addition, overall savings in the implementation of JEP2 - Phase 1 resulted in savings of \$2,000,000 which was used to partially fund debt service in FY 2012 resulting in a general fund equivalent savings of \$2,000,000. (Capital Improvements Division) Countywide/District 6 (JM)

3. CONSENT AGENDA APPROVAL

J. PLANNING, ZONING & BUILDING

1. Staff recommends motion to approve: First Amendment to two (2) contracts for facilitation services related to mining, to increase the contracts amount (not to exceed \$10,000) and extend completion date to February 1, 2012:

A) University of Central Florida – Rafael Montalvo (R2010-1955) to increase contract amount (not to exceed \$8,750) for additional outreach, code drafting and workshops; and

B) SLC, LLC (R2010-1956) to increase contract amount (not to exceed \$1,250) for additional outreach and workshops.

SUMMARY: At the July 12, 2011 Board of County Commissioners (BCC) meeting, the Board directed staff to continue working with the consultants on the outreach services and code language drafting of issues related to mining in the Everglades Agriculture Area (EAA). The original funding for this project was not to exceed \$39,485. The continuing services of the facilitators will exceed the original amount but will not exceed the additional \$10,000. The estimated completion date of the original contracts was September 30, 2011 and the additional time has been added to meet the code amendment round cycle. Unincorporated (RB)

K. WATER UTILITIES

1. Staff recommends motion to receive and file: the following one (1) document: a Contract with Camp Dresser & McKee, Inc. in the amount of \$24,998 to provide professional/consultation services in the area of Stormwater for Comparison of a Stormwater Funding Program, Phase I – Initial Feasibility Study (WUD Project No. 11-082). **SUMMARY:** In accordance with County PPM CW-0-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. The Standard Development Agreement, Contracts and Indemnity Agreements have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Director/Deputy Director of the Water Utilities Department in accordance with Resolutions R93-1619, R96-0228, and R2003-0539 and are now being submitted to the Board to receive and file. Countywide (JM)

2. Staff recommends motion to:

A) approve a Contract with TLC Diversified, Inc. to construct the Belle Glade Wastewater Lift Station No. 7 Rehabilitation Project in the amount of \$272,595, pending approval by the State of Florida, Department of Community Affairs; and

B) authorize the County Administrator or his designee to sign the Contract after DCA approval in order to comply with the Consent Order deadline.

SUMMARY: On June 14, 2011, four (4) construction bids were received for the Belle Glade Wastewater Lift Station No. 7 Rehabilitation Project, with TLC Diversified, Inc. being the low bidder in the amount of \$272,595. This Contract provides for the rehabilitation of Master Lift Station No. 7 within the Glades Utility Authority wastewater collection system. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15.00% overall. This Contract is federally funded and has participation goals of 22.4% MBE and 6.9% WBE. Although SBE participation is not required by the Contract, a good faith effort has been made by TLC Diversified, Inc. TLC Diversified, Inc. is a local Palm Beach County company. Rehabilitation of this lift station is required by a Florida Department of Environmental Protection Consent Order with a deadline of December 31, 2011. **These are federal Community Development Block Grant Disaster Recovery Initiative funds that require no local match.** (WUD Project No. 09-058) District 6 (JM)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

3. **Staff recommends motion to approve:** Consultant Service Authorization No. 3 to the Water Plant and Water Resources Engineering Services Contract with Carollo Engineers (R2011-0630) for a Water Master Plan Update Report in the amount of \$ 254,708. **SUMMARY:** On May 3, 2011, the Board of County Commissioners approved the continuing Contract for Water Plant and Water Resources Engineering Services with Carollo Engineers (R2011-0630) to obtain engineering/professional service for utility related projects. This Consultant Service Authorization will provide an update to the County Water Master Plan which includes updates to water demand projections, assistance with distribution system hydraulic model development, water quality modeling, and development of a Capital Improvements Program for the County's water system. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. The contract with Carollo Engineers provides for SBE participation of 26% overall. This authorization includes 26.01% overall participation. The cumulative SBE participation, including this Consultant Work Authorization is 20.20% overall. Carollo Engineers is a local Palm Beach County Company. (WUD Project No. WUD 11-118) Countywide (JM)

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. **Staff recommends motion to:**
 - A) approve** a 20-year term Florida Greenways and Trails Designation Agreement (Designation Agreement) with the Florida Department of Environmental Protection for the County's Pine Glades Natural Area; and
 - B) authorize** the County Administrator, or his designee, to sign a Resource Certification once every five (5) years from the date of this Designation Agreement.

SUMMARY: On February 15, 2011, the Board ratified an Application for Designation of the Pine Glades Natural Area as part of the Florida Greenways and Trails System. The application was subsequently approved by the Greenways and Trails Council on February 22, 2011. Pursuant to the Designation Agreement, the County will be required to provide annual reports showing that the natural, recreational, cultural and/or historic resources identified in the designation agreement are being managed/maintained in accordance with the Board-approved management plan for the natural area (May 8, 2008, item 6D-1). It is expected that annual site evaluation reports currently prepared by the County's Department of Environmental Resources Management will meet this requirement. Therefore, approval of the Designation Agreement is not expected to have any fiscal impact. District 1 (SF)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

2. Staff recommends motion to receive and file: three (3) original documents for the Department of Environmental Resources Management:

A) State of Florida Department of Transportation (FDOT) Local Agency Supplemental Agreement No. 2 for construction of the bike lane/sidewalk for Historic Jupiter-Indiantown Trail from Mack Dairy Road to Jupiter Farms Road. The Agreement is amended to extend the time for completion of services until December 31, 2011 and to utilize the U.S. Department of Homeland Security's E-Verify system;

B) Task Assignment No. 3 with the Florida Department of Environmental Protection (FDEP) Grant Agreement No. SO 485 for contracted services related to the petroleum contamination cleanup program in the amount of \$502,730.08, expiring June 30, 2012; and

C) Task Assignment No. 5 with FDEP Contract GC680 for contracted services related to petroleum storage tank compliance in the amount of \$454,675.14, expiring June 30, 2012.

SUMMARY: **A)** A Local Agency Program Agreement (R2010-0343) executed by FDOT in January 2010 as part of the Northeast Everglades Natural Area Historic Jupiter-Indiantown Trail (NENA). The Trail is a segment of the NENA system being funded entirely by Florida Stimulus Scenic Enhancement Funds from the American Recovery and Reinvestment Act. Delegated Authority to sign time extensions was provided. No matching funding was required. **B)** FDEP Grant SO 485 was approved on January 12, 2010 (R2010-0095) for activities in the Pollutant Storage Tank Cleanup Program. Delegated authority to sign task assignments was provided at that time. No ad valorem support is required for this task assignment. **C)** FDEP Contract GC680 was approved on June 5, 2007 (R2007-0882) for activities in the Pollutant Storage Tank Compliance Verification Program. Delegated authority to sign task assignments was provided at that time. No ad valorem support is required for this task assignment. Countywide (SF)

3. Staff recommends motion to:

A) approve Amendment No. 1 to Grant Agreement No. 08PB4 (R2010-1322; dated August 17, 2010) with the Florida Department of Environmental Protection (FDEP) for cost-sharing on the Juno Beach Nourishment Project (Project) through December 31, 2013; and

B) authorize the County Administrator or his designee to sign all future time extensions, task assignments, certifications and other forms associated with the Grant Agreement, and necessary minor amendments that do not change the scope of work or terms and conditions of the Agreement.

SUMMARY: This Amendment contains language changes which will bring 08PB4 in compliance with new State statutes for funding agreements. Once the amendment is executed staff will be able to submit a reimbursement request for outstanding eligible project costs. There are no additional costs to the County. District 1 (SF)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION

1. Staff recommends motion to receive and file: executed Independent Contractor Agreements received during the months of June and July of 2011:

A) Lory Mills, Inc., Cake Design Instructor, West Jupiter Recreation Center, for the period July 5, 2011, through July 6, 2011 (LORI000107115243E); and

B) Susan Giveon, Jewelry Making Instructor, Daggerwing Nature Center, for the period August 1, 2011, through August 5, 2011.

SUMMARY: In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a Receive and File Agenda Item. The Independent Contractor Agreements have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Director/Assistant Director of the Parks and Recreation Department in accordance with Resolution 94-422, amended by Resolutions 02-2103 and 07-0409, and are now being submitted to the Board to receive and file. Districts 1 & 5 (AH)

2. Staff recommends motion to receive and file: fully executed First Amendment to Grant Agreement with the Palm Beach Metropolitan Planning Organization (MPO) for a water taxi shelter at DuBois Park extending the project completion date from December 31, 2010, to November 30, 2011. **SUMMARY:** On June 8, 2010, the Board approved a Grant Agreement R2010-0921, with MPO to construct a water taxi shelter at DuBois Park. Due to environmental permitting delays, the County requested an 11 month time extension to complete the project. The time extension was granted, and the fully executed First Amendment to Grant Agreement is now being submitted to the Board to receive and file. There are no other changes to the terms of the Agreement as a result of the First Amendment. District 1 (AH)
3. Staff recommends motion to receive and file: fully executed Amendment No. 2 to Agreement with the Florida Fish and Wildlife Conservation Commission (FFWCC) for Florida Boating Improvement Program (FBIP) Contract No. 08083 for the DuBois Park Docks and Shoreline Stabilization Project extending the project completion date from June 15, 2011, to December 15, 2011. **SUMMARY:** On October 20, 2008, a grant agreement with the FFWCC was fully executed R2008-2232, for a FBIP grant for the DuBois Park docks and shoreline stabilization project with a completion deadline of June 15, 2010. On May 24, 2010, Amendment No. 1 to Agreement was fully executed R2010-1442, extending the project completion date from June 15, 2010, to June 15, 2011. The County requested an additional time extension of six (6) months to complete the upland improvements associated with this project including sidewalks and landscaping. The additional time extension was granted, and the fully executed Amendment No. 2 to Agreement is now being submitted to the Board for receive and file. There are no other changes to the terms of the Agreement as a result of the Amendment. District 1 (AH)
4. Staff recommends motion to approve: a month-to-month Lease Agreement with George F. Knapp, a full-time County employee, at Okeehlee Park. **SUMMARY:** Palm Beach County owns various park sites throughout the County that have facilities for employees who reside on the premises as a condition of their employment. These residents maintain and repair the property on which they reside and are on-call 24 hours per day to provide on-site supervision of the Park and report any vandalism, rowdiness, illegal activities or other suspicious conduct at the Park to law enforcement personnel. Mr. Knapp will not pay any rent, but will arrange and pay for all utilities and maintain the residence in good and sanitary condition during the term of the Lease Agreement. District 6 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

5. Staff recommends motion to approve: a non-standard Amphitheater Rental Agreement with AEG Live SE, LLC for the presentation of a Slightly Stoopid Concert on August 20, 2011, at Sunset Cove Amphitheater. **SUMMARY:** The Parks and Recreation Department (Department) utilizes a standard Amphitheater Rental Agreement which is executed at the Department level. However, non-standard Amphitheater Rental Agreements are sometimes required to satisfy the complexity of specific entertainment terms of a given renter. AEG Live SE, LLC (AEG) has requested modifications to the approved standard Amphitheater Rental Agreement language. The modifications clarify the responsibilities and expectations of the County and AEG for issues such as damages, personal injury, and indemnification. These changes, along with other minor administrative changes, were agreed to by attorneys for both the renter and the County. This non-standard Amphitheater Rental Agreement releases AEG from liability to the extent such damage or injury is caused by the County's negligence or willful misconduct, or structural or premise related defects at the Sunset Cove Amphitheater. County revenues generated from the concert range from a minimum of \$3,000, or 10% of the gross ticket sales less tax, to a maximum of \$12,000 plus miscellaneous fees for vendors, parking, etc. District 5 (AH)

6. Staff recommends motion to approve: notice of cancellation to the Town of Palm Beach terminating the Agreement for parking meter enforcement at Palm Beach County's Kreusler Park. **SUMMARY:** On September 18, 1979, the Board of County Commissioners approved an Agreement (R79-1214) with the Town of Palm Beach to assist the County in enforcing parking regulations at Kreusler Park. This Agreement required the County to pay the Town for one (1) meter enforcement employee and all administrative costs associated with parking enforcement and collection and remittance of meter funds, fines and forfeitures to the County. The County is installing new advanced technology user friendly multi-space parking pay stations at Kreusler Park; therefore, parking meter enforcement services by the Town are no longer needed. This termination letter is in accordance with Section 8 of the Agreement, which requires the County provide the Town with sixty (60) days written notice of its intention to cancel the Agreement. The Department estimates that terminating this Agreement will result in a cost savings of approximately \$100,000 in FY 2012. District 7 (AH)

3. CONSENT AGENDA APPROVAL

N. LIBRARY

1. **Staff recommends motion to approve:** the County Library's Long-Range Plan for FY 2012-2014. **SUMMARY:** This Plan represents the Library's mission statement, goals and objectives, and strategic plan for FY 2012 through FY 2014. This annual process of strategic planning is done in conjunction with the State's requirements for libraries receiving State Aid funds and with the County's budget process. The Library Advisory Board has endorsed this Plan with Resolution 11-01, dated July 11, 2011. Highlights of the Plan for FY 2012 include:
 - A) Circulation of books and other materials will increase by 2% to 8,670,000;
 - B) New Acreage Branch Library opens;
 - C) Renovation of Main and West Boynton Beach Libraries completed;
 - D) Continued promotion of self service options for library users including self checkout and automated return of items;
 - E) Additional promotion of library service to the community including library card registration drives at new branch locations;
 - F) Reference questions will increase by 2% to 1,778,377;
 - G) Increased emphasis in children's programming and family reading skills development; and
 - H) Library website will be redesigned to include social media links. Countywide (TKF)

P. COOPERATIVE EXTENSION SERVICE

1. **Staff recommends motion to approve:** an Agreement with the Palm Beach Soil and Water Conservation District in an amount not to exceed \$79,000 to provide soil and water resource conservation services for Fiscal Year 2012. **SUMMARY:** This Agreement provides funding for the Palm Beach Soil and Water Conservation District's ("District") Resource Conservation Activities. The District provides resource conservation services to rural, agricultural, and urban communities to facilitate soil and water conservation in Palm Beach County. Services include soil information and technical assistance to improve water quality and quantity and soil planning in Palm Beach County. Countywide (AH)

Q. CRIMINAL JUSTICE COMMISSION

1. **Staff recommends motion to approve:** the Sixth Amendment to the Interlocal Agreement (R2007-0706) with the City of West Palm Beach to extend the expiration date from April 1, 2011, to September 30, 2011 adding \$50,000 to support the "weed and seed" efforts with an Edward Byrne Memorial Justice Assistance Grant (JAG) through the Florida Department of Law Enforcement (FDLE). **SUMMARY:** The Criminal Justice Commission recommends utilization of \$50,000 from the JAG Program for the continuation of "seeding" services and to extend the existing contract period to September 30, 2011. The delay in submitting this item to the Board of County Commissioners was exacerbated by requested changes in the approved FDLE grant by the City and its sub-recipient which delayed the process. There is no match requirement for JAG funds. District 7 (GB)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION (Cont'd)

2. Staff recommends motion to:

A) ratify the signature of the Chair on the approval of the Second Chance Act Grant Application to the Department of Justice (DOJ) for \$750,000 from October 1, 2011, to September 30, 2012 to facilitate the reduction of recidivism in Palm Beach County; and

B) authorize the County Administrator or his designee to execute electronically all related documents for Palm Beach County's FY 2011 Second Chance Act Grant as required by the U.S. Department of Justice, Bureau of Justice Assistance.

SUMMARY: Palm Beach County applied for a grant award of \$750,000 from the Department of Justice to facilitate the planning for successful reintegration of ex-offenders as they return to Palm Beach County. This application, if funded, will allow for the development of the plan for ex-offenders to be provided with pre and post release services to assist in their transition back into the community. The Grant requires a non-federal in-kind match of 100% during the year project period. Specifically, the in-kind match requirement for the project is \$750,000. This match has been identified through the Criminal Justice Commission for a total amount of \$750,000. Due to the short turn-around time given by the grantor agency, this application was submitted per the emergency procedures and is being presented for Board approval at the first subsequent Board meeting. Countywide (GB)

3. Staff recommends motion to:

A) receive and file a Grant Adjustment Notice from the Florida Department of Law Enforcement (FDLE) to extend the expiration date from June 30, 2011, to September 30, 2011; and

B) approve the Tenth Amendment to the Agreement (R2001-2131) for \$238,915 with the Office of the Public Defender for re-entry services extending the Agreement from June 30, 2011, to September 30, 2011.

SUMMARY: The Tenth Amendment will extend the Agreement (R2001-2131) from June 30, 2011, to September 30, 2011, and will add \$45,415 in addition to original allocation of \$193,500 for the provision of re-entry services and program evaluation. Public Defender re-entry services can assist up to 200 people who voluntarily agree to services. The various components of the project include re-entry case work services to the county jail and services for a countywide paralegal. Funds previously allocated for a countywide coordinator have been redistributed for an evaluation of re-entry programs. An additional \$45,415 has been added to the project agreement as a result of unexpended Florida Department of Law Enforcement Justice Assistance Grant funds. No matching funds are required. Countywide (GB)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION (Cont'd)

4. Staff recommends motion to:

A) ratify the signature of the Chair on the submittal of the following three (3) grant proposals to the U.S. Department of Justice for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program: Local Solicitation for the period from October 1, 2010, through September 30, 2014: 1) the Public Defender Re-entry Program for \$193,500; 2) the Public Defender Re-entry ID Program for \$7,000; and 3) the Riviera Beach Justice Service Center Re-entry Services Program for \$28,058; and

B) authorize the Criminal Justice Commission's Executive Director, through the County Administrator, to execute electronically all related documents for the Federal Fiscal Year 2011 Edward Byrne Memorial Justice Assistance Grant (JAG) Program and to execute all necessary forms, documents and the resulting grant agreement as required by the DOJ.

SUMMARY: The Criminal Justice Commission Executive Committee met on July 11, 2011, and approved the recommendations made by the CJC Finance Committee for FY 2012 funds totaling \$228,558. No local match is required for the JAG program. Countywide (DW)

5. Staff recommends motion to:

A) ratify the signature of the Chair on the submittal of the following three (3) grant proposals to the Florida Department of Law Enforcement (FDLE) for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program: State Solicitation for the period from October 1, 2011, through September 30, 2012: 1) Juvenile Assessment Center Security for \$318,000; 2) Countywide Re-entry Services for \$110,000; and 3) Criminal Justice Commission Program Evaluation for \$30,797; and

B) authorize the Criminal Justice Commission's Executive Director, through the County Administrator, to execute electronically all related documents for the FY 2012 Edward Byrne Memorial Justice Assistance Grant (JAG) Program and to execute all necessary forms, documents and the resulting grant agreement as required by the FDLE for FY 2012.

SUMMARY: The Criminal Justice Commission Executive Committee met on July 11, 2011, and approved the recommendations made by the CJC Finance Committee for FY 2012 funds totaling \$458,797. No local match is required for the JAG program. Countywide (DW)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE

1. Staff recommends motion to approve: a Memorandum of Agreement with the Children's Services Council of Palm Beach County providing the County funding of up to \$50,000 for the Drowning Prevention Coalition for the period October 1, 2011, to September 30, 2012. **SUMMARY:** The Drowning Prevention Coalition program is managed by Palm Beach County Fire Rescue. However, the program is funded by multiple sources including the Children's Services Council (CSC) of Palm Beach County and the County's general fund. This Memorandum of Agreement provides the terms and conditions of the Children's Services Council of Palm Beach County's agreement to provide funding to the County of up to \$50,000 for the Drowning Prevention Coalition program. The additional funding of this program for FY 2012 is being provided from the County's general fund in the amount of \$150,000. Countywide (PK)

U. INFORMATION SYSTEMS SERVICES

1. Staff recommends motion to approve: an Interlocal Agreement with the Loxahatchee River Environmental Control District, a multi-county independent special district created by Chapter 2002-358, Laws of Florida, ("District") to connect to the Palm Beach County ("County") regional network at an estimated first year revenue of \$7,200 for the initial points of connection, for an initial term of one (1) year, with automatic annual renewals unless notice given by either party. **SUMMARY:** The Loxahatchee River Environmental Control District wishes to connect to the Palm Beach County network in order to receive broadband Internet access at the stated monthly rates. The County's Information Systems Services Department will be responsible for providing Internet services. The District will have two (2) separate points of connection to the Palm Beach County fiber network via WiMax technology. The two (2) locations are 2500 Jupiter Park Drive, and 805 North U.S. Highway 1, both in Jupiter, FL. The District agrees to reimburse the County for all installation costs associated with this project, estimated to be \$15,400. The County will not incur any costs associated with this project other than staff time involved in planning and managing the project. This Interlocal Agreement provides for disclosure of County Ordinance No. 2009-049 establishing the Office of the Inspector General. District 1 (PFK)
2. Staff recommends motion to approve: an Interlocal Agreement with the Town of Juno Beach ("Town") to connect to the Palm Beach County ("County") Regional Network at an estimated first year revenue of \$5,940 for the initial point of connection, for an initial term of one (1) year with automatic one (1) year renewals unless notice is given by either party. **SUMMARY:** The Town of Juno Beach wishes to connect to the Palm Beach County Network in order to receive broadband internet access at the stated monthly rates. The County's Information Systems Services (ISS) will be responsible for providing Internet services. The Town of Juno Beach agrees to reimburse the County for fiber optic cable construction costs of \$5,000. The County will not incur any costs associated with this project other than staff time involved in planning and managing the project. This agreement is similar to existing agreements with other municipalities for network services. This Interlocal Agreement provides for disclosure of County Ordinance No. 2009-049 establishing the Office of the Inspector General. District 1 (PFK)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

1. Staff recommends motion to:

A) receive and file the following executed agreements with the Fifteenth Judicial Circuit for the period July 1, 2011, through June 30, 2012:

- 1) Agreement for Expert Witness Professional Services for Adult Competency Evaluations;
- 2) Agreement for Expert Witness Professional Services Related to Appointment as an Examining Committee Member Relating to Guardianship Matters;
- 3) Agreement for Expert Witness Professional Services for Juvenile Competency Evaluations and Psychological Evaluations;

B) receive and file the executed amendment to the service agreement with Child and Family Connections to extend the agreement to September 30, 2011.

SUMMARY: The Administrative Office of the Court has contracted with the Division of Justice Services to provide court ordered forensic evaluations and testimony through Justice Services' Forensic Psychology Office. Seniors, adults, teens, and children throughout the county are directed to the Forensic Psychology Office with the appropriate Court Order, outlining which specific evaluation is required. Child and Family Connections contracted with the Division of Justice Services to provide psychological testing for adults and children involved in Dependency Court. Resolution R2005-0792 authorizes the County Administrator or his designee to sign contracts to provide psychological services to the Fifteenth Judicial Circuit. Countywide (GB)

2. Staff recommends motion to:

A) receive and file an executed Agreement with Florida Council Against Sexual Violence (FCASV) (Contract No. 11OAG26) to receive grant funds in the amount of \$10,482 for the period July 1, 2011, through June 30, 2012 to provide sexual battery recovery services;

B) receive and file an executed Amendment I with Florida Council Against Sexual Violence (Contract No. 10RCP26) to receive the second year award amount of \$62,467 for the period July 1, 2011, through June 30, 2012 to provide sexual battery recovery services; and

C) approve a Budget amendment of \$10,482 in the Public Safety Grants Fund to recognize the actual grant award.

SUMMARY: These are annual grants that are received by the Division of Victim Services. The funds will be used to provide sexual battery recovery services to victims. Resolution R2006-0096 authorizes the County Administrator or his designee to execute FCASV grant contracts on behalf of the county. **No County match is required.** Countywide (GB)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

3. Staff recommends motion to:

A) approve the Contract with the State of Florida, Department of Health, to receive funding to establish a Sexual Assault Response Team (SART) and exam site in the amount of \$880,662 for the period of September 1, 2011, through June 30, 2014;

B) authorize the County Administrator or his designee to execute contracts and amendments utilizing funding from the State of Florida, Department of Health on behalf of the Board of County Commissioners;

C) approve a Budget Amendment of \$880,662 in the Florida Department of Health SART Program Fund to recognize funding from the State of Florida, Department of Health; and

D) approve the addition of two (2) Victim Advocate positions (Pay Grade 25) and one (1) Therapist (Pay Grade 32) which are 100% state funded.

SUMMARY: The Division of Victim Services was awarded start-up and reoccurring funding from the State of Florida, Department of Health, to implement a sexual assault forensic exam facility in Palm Beach County. Funding will be used to purchase equipment, furnishing and medical supplies for the forensic examination site, for personnel costs for the first year of the project, for operational expenses for a medical provider, and for specialized training and rent at Wellington Regional Medical Center. The project will be based out of Wellington Regional Medical Center where trained Sexual Assault Nurse Examiners (SANE) will conduct forensic rape examinations for the purpose of providing patient assessment and medical treatment, documenting and collecting forensic evidence, and preparing for offender prosecution. Approximately 250 forensic examinations will be completed annually at the designated treatment facility. A Medical Provider will be subcontracted with to provide Nurses, who will be trained as Sexual Assault Nurse Examiners and scheduled on a standby rotation to provide these exams. Funding for personnel is designated for two (2) rape crisis advocates and one (1) licensed therapist. The state funded positions will be approved for the length of the funding and will be eliminated when the funding is discontinued. Training dollars are budgeted to assist qualified nurses with certification in the Sexual Assault Nurse Examiner program. Countywide (GB)

BB. SHERIFF'S OFFICE

1. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office, a Grant Modification with the Office of National Drug Control Policy, to provide an additional \$37,500 in FY 2009 reimbursable funding, for the Palm Beach County Multi-Agency Diversion Task Force; and

B) approve a Budget Amendment of \$37,500 in the Sheriff's Grant Fund.

SUMMARY: The Board of County Commissioners accepted this grant for \$143,269 on May 4, 2010; the original period for this grant was January 1, 2009, through December 31, 2010 (R2010-0726). On May 3, 2011, the Board of County Commissioners received and filed an agenda item extending the grant period from December 31, 2010, through June 30, 2011 (R2011-0683). This Grant Modification will provide supplemental funds for the purchase of (9) 800 MGHZ radios. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (GB)

3. CONSENT AGENDA APPROVAL

BB. SHERIFF'S OFFICE (Cont'd)

2. **Staff recommends motion to receive and file:** Grant Adjustment Notice amending the National Institute of Justice FY 2009 Forensic DNA Unit Efficiency Improvement Program Grant to extend the grant period from September 30, 2011, through September 30, 2012. **SUMMARY:** The Board of County Commissioners accepted this grant for \$519,544 on December 15, 2009; the original period for this grant was October 1, 2009, through March 31, 2011 (R2009-2164). On March 1, 2011, the Board of County Commissioners received and filed an agenda item extending the grant period from March 31, 2011, through September 30, 2011 (R2011-0311). This agenda item will extend the grant period from September 30, 2011, through September 30, 2012. The National Institute of Justice awarded these funds for an evidence screening laboratory to improve the capacity and efficiency of the Forensic Biology Unit (FBU) of PBSO. The screening laboratory will be developed through renovation of existing space in the Boca Raton Police Services Department in which trained Laboratory Analyst will screen and process crime scene items before submission to the FBU. The Boca Raton Police Services Department will provide the required 25% match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (GB)

3. **Staff recommends motion to receive and file:** Grant Adjustment Notice, amending the agreement between the Palm Beach County Sheriff's Office (PBSO) and the U.S. Department of Justice, Office of Justice Programs, to extend the ending grant period from September 30, 2011, through September 30, 2012. **SUMMARY:** The Board of County Commissioners accepted this grant for \$500,000 on November 3, 2009; the original period for this grant was October 1, 2009, through September 30, 2011 (R2009-1929). This agenda item will extend the grant period from September 30, 2011, through September 30, 2012. The U.S. Department of Justice, Office of Justice Programs awarded these funds to the Palm Beach County Sheriff's Office to implement the Palm Beach County Sheriff's Office Data-Driven Problem-Oriented Policing Strategy. The purpose of the strategy is to reduce the number of robberies and opportunistic crimes occurring within the city and unincorporated area of Lake Worth. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required until grant funding expires in FY 2012. Countywide (GB)

3. CONSENT AGENDA APPROVAL

BB. SHERIFF'S OFFICE (Cont'd)

4. **Staff recommends motion to approve:** a Budget Transfer of \$86,758 from the Law Enforcement Trust Fund (LETF) to the Palm Beach County Sheriff's Office (PBSO). **SUMMARY:** Florida Statute 932.7055 requires that no less than 15% of the LETF's previous year's revenues be used for the support or operation of drug treatment, drug abuse education, drug prevention, crime prevention, safe neighborhood and school resource officer programs of various non-profit organizations. The PBSO's FY 2011 estimated donation requirement is \$98,015. The funds are requested to aid qualified organizations that meet the requirements set forth in F.S. 932.7055. The PBSO's support of these programs exemplifies its strong commitment to the prevention and reduction of crime throughout the communities it serves and its desire to put money back into these communities to support organizations that provide such services. The current State LETF balance is \$1,614,611. Approval of this request will reduce the State Law Enforcement Trust Fund balance to \$1,527,853. The year-to-date transfer for all donations after approval of this item is \$1,454,442. The PBSO certifies that the use of these funds is in accordance with F.S. 932.7055. Below is a table indicating the organizations the PBSO seeks to fund and the corresponding amount of funding proposed per respective agency. No new positions are needed and no additional County funds are required. Countywide (GB)

ORGANIZATION	AMOUNT
Aequalis, Inc.	\$1,445
Ann Norton Sculpture Gardens	\$3,665
Artist Showcase of the Palm Beaches, Inc.	\$13,538
Blue Planet International	\$2,252
The Children's Coalition, Inc.	\$2,644
The Children's Place at Home Safe, Inc.	\$5,919
The Friends of Sandoway House Nature Center, Inc.	\$11,008
For the Children, Inc.	\$6,147
Hispano-Latino Cultural Alliance, Inc.	\$4,721
The Jerome Golden Center for Behavioral Health	\$5,000
Martin Luther King, Jr. Coordinating Committee	\$6,639
Nope Task Force, Inc.	\$21,420
Philippine American Society, Inc.	<u>\$2,360</u>
Total Amount of Donations	\$86,758

CC. FIFTEENTH JUDICIAL CIRCUIT

1. **Staff recommends motion to approve:** a travel advance for the Fifteenth Judicial Circuit's Court Technology Director to attend the Annual Court Technology Training Conference in Long Beach, California for the period October 4, 2011, through October 6, 2011. **SUMMARY:** The travel advance in the amount of \$1,452.20 is requested for the Fifteenth Judicial Circuit's Court Technology Director to attend the Annual Court Technology Training Conference. This conference is a budgeted annual training. According to the County's travel policy CW-F-009, travel advances for non-county employees require Board approval. The Court Technology Director is required to receive technical training in order to take an active role in the performance of assigned duties and the requested travel advance covers conference registration, airfare, lodging, and meals for one participant. Countywide (AH)

3. CONSENT AGENDA APPROVAL

DD. WESTGATE/BELVEDERE HOMES COMMUNITY REDEVELOPMENT AREA

1. Staff recommends motion to approve:

A) a Contract with Murray Logan Construction, Inc. (Contractor), the lowest, responsive, responsible bidder, in the amount of \$3,226,800 for the construction of Project No. 2008910, the L-2 Canal Stormwater Pump Station (Project);

B) a Budget Amendment of \$61,601, in the Capital Outlay Fund to recognize the funding from the Westgate/Belvedere Community Redevelopment Area (CRA) for the over match requirement and appropriate it to Westgate/Belvedere CRA-Lakeside Mobile Home Park Drainage;

C) an Amendment to the Interlocal Agreement with the CRA (R2011-0085) to add a clause stating that the CRA is responsible to fund any project costs that exceed the CRA Local Match of the Federal Emergency Management Agency Hazard Mitigation Grant (Grant); and

D) a Supplement No. 2 Task Agreement for \$215,087 dated July 8, 2011, against the Annual Civil Engineering Agreement R2007-0460, with Keshavarz & Associates (Consultant) for the Construction Engineering Inspection of the Project.

SUMMARY: Approval of this Contract, the amendments and supplement, will provide stormwater protection for upstream areas including the Lakeside Mobile Home Park. The 270 calendar day Project is federally funded through the Florida Division of Emergency Management. The Grant currently expires on November 23, 2011 however, an extension will be requested. The Consultant, together with their sub-consultants, will do the construction monitoring of the civil, mechanical, structural and electrical work of this Project. The Contractor is a Palm Beach County business. The Small Business Enterprise (SBE) goal for the Project is 15%. The SBE participation committed for the Project by the Contractor is 15.24% overall. (Engineering) District 2 (MRE)

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4. PUBLIC HEARINGS – 9:30 A.M. (Motion to receive and file: Proof of publication)

- A. **Staff recommends motion to approve:** Alignment Alternate 1 for 47th Place South (Polo Club Road) from Lyons Road to Polo Road and Polo Road (South 85th Avenue) from 47th Place South to 1,000 feet north of 47th Place South. **SUMMARY:** The alignment of Polo Club Road must be determined so the developers of Andalucia Planned Unit Development (P.U.D.) (Control Number 2008-129, Application No. DOA/TDR-2010-03019) can complete the Zoning process. The Andalucia P.U.D. was approved at the July 28, 2011 Board of County Commissioner’s Zoning Hearing and conditions of approval were established. The developers were required to dedicate portions of the ultimate right-of-way for Polo Club Road fronting their property on an alignment approved by the Board of County Commissioners. Approval of the alignment of Polo Club Road will allow the roadway design phase and subsequent roadway construction to proceed. District 6 (MRE)

- B. **Staff recommends motion to adopt:** an Ordinance of the Board of County Commissioners of Palm Beach County relating to mortgaged real property; creating Article XII of Chapter 17 of the Palm Beach County Code (Mortgage Foreclosure Registration); providing for the purpose and intent; providing for definitions; providing for applicability of the ordinance; requiring inspection and registration of real property mortgages in default; providing for annual registration fees; providing for enforcement; requiring maintenance of certain real property by mortgagees; providing for security requirements; providing for posting of property; providing for additional authority; providing provisions are supplemental; providing for severability; providing for captions; providing for inclusion in the code of laws and ordinances; providing for an effective date. **SUMMARY:** This Ordinance requires banks and mortgage companies to register properties in foreclosure, inspect those properties, and identify a property maintenance company for each property. This will assist county agencies in identifying and managing properties with code violations and those which are negatively impacting the surrounding communities. Unincorporated (GDB)

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RECESS AS THE BOARD OF COUNTY COMMISSIONERS

CONVENE AS THE CHILD CARE FACILITIES BOARD

5. PUBLIC HEARINGS – 9:30 A.M.
BOARD OF COUNTY COMMISSIONERS SITTING AS THE CHILD CARE FACILITIES BOARD
(Motion to receive and file: Proof of publication)

A. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida, sitting as the Child Care Facilities Board, titled the Palm Beach County Rules and Regulations governing child care facilities: amending Articles III through XIX and Article XX; re-naming Articles V, VI and XI; of the rules and regulations governing child care facilities in palm beach county; providing for definitions; providing for rules of procedure for the child care advisory council; providing for license and certificate application procedures; providing for procedures for hearings, denial and revocation of licenses; providing for child care personnel training requirements; providing for background screening requirements; providing for supervision and staffing requirements; providing for daily program and discipline; providing for physical facilities requirements; providing for preparation and food service; providing for nutrition; providing for medicine, first-aid and emergency procedures; providing for communicable disease control; providing for admission, assessment and record keeping; providing for child care during nighttime hours; providing for transportation; providing for field trips and swimming activities; providing for specialized child care for mildly ill children; providing for classification of violations; providing for enforcement; providing for repeal of laws in conflict; providing for inclusion in the code; providing for severability; providing for a savings clause; and providing for an effective date. **SUMMARY:** The Child Care Advisory Council and the Palm Beach County Health Department are recommending a number of changes to the Rules and Regulations Governing Child Care Facilities. The Board of County Commissioners, pursuant to a Special Act of the State of Florida, serves as the Child Care Facilities Board and in this capacity, is required to promulgate rules and regulations as needed to protect the health and safety of children in child care facilities. The proposed changes will update County rules and provide greater consistency with State regulations which have been amended several times since the last rule update in 2005. The substantive proposed rule changes accomplish the following:

- 1) Incorporate new State child care standards pursuant to Chapter 402, Florida Statutes and Chapter 65C-22, Florida Administrative Code;
- 2) Incorporate new requirements of Chapter 2010-249, Special Acts, Laws of Florida;
- 3) Add and clarify requirements for transportation of children;
- 4) Reduce outdoor play area site requirements;
- 5) Require high school diploma for child care personnel;
- 6) Add pre-licensing training requirements and clarify license application requirements;
- 7) Increase license fees;
- 8) Add guidelines for issuing provisional and probationary licenses;
- 9) Delete Department of Children and Families' child care training information and procedures that are not applicable child care standards;
- 10) Incorporate new child care personnel background screening requirements pursuant to Chapter 435, Florida Statutes;
- 11) Allow commingling of infants and older children to facilitate transitioning of infants to groups of older children; and
- 12) Reorganize the following articles of the existing rules to improve coherence and clarity: Article VI - Staff Qualifications, Article VIII - Supervision and Staffing Requirements, and Article X - Physical Facilities. Countywide (GB)

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6. REGULAR AGENDA
BOARD OF COUNTY COMMISSIONERS SITTING AS THE CHILD CARE FACILITIES BOARD

A. COUNTY ATTORNEY

1. [Staff recommends motion to approve on preliminary reading and advertise for public hearing on September 13, 2011 at 9:30 a.m.:](#) a Resolution of the Board of County Commissioners of Palm Beach County, Florida, sitting as the Child Care Facilities Board, adopting the Palm Beach County Rules and Regulations governing Family Day Care Facilities; amending Article VIII of the Rules and Regulations governing Family Day Care in Palm Beach County; providing for repeal of laws in conflict; providing for inclusion in the code of laws and ordinances; providing for severability; and providing for an effective date. **SUMMARY:** The Board of County Commissioners, pursuant to a Special Act of the State of Florida, serves as the Child Care Facilities Board. This amendment requires all loaded firearms stored or left on a premise where a minor is likely to gain access to the firearm without the lawful permission of the minor's parent or the person in charge of the minor be kept in a securely locked box or container, except when the person is carrying the firearm on his or her body or within such close proximity thereto that he or she can retrieve and use it as easily and quickly as if he or she carried it on his or her body. This amendment is necessary due to a change in state law, which prohibits a county from adopting any ordinance, rule, or regulation relating to the regulation of firearms and ammunition. Any existing ordinances, rules, or regulations not specifically authorized by the legislature are in violation of state law and must be amended. Countywide (AH)

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ADJOURN AS THE CHILD CARE FACILITIES BOARD

RECONVENE AS THE BOARD OF COUNTY COMMISSIONERS

7. REGULAR AGENDA

A. COUNTY ATTORNEY

1. [Staff recommends motion to approve on preliminary reading and advertise for public hearing on September 13, 2011 at 9:30 a.m.:](#) an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Chapter 9, Article 2, Division 1, Section 9-35 of the Palm Beach County Code; providing for declaration of emergency; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the code of laws and ordinances; providing for captions; and providing for an effective date. **SUMMARY:** The subject ordinance deletes the County Administrator's ability to restrict the sale, purchase or possession of firearms during a state of emergency. This amendment is necessary due to a change in state law, which prohibits a county from adopting any ordinance, rule, or regulation relating to the regulation of firearms and ammunition. Any existing ordinances, rules, or regulations not specifically authorized by the legislature are in violation of state law and must be amended. Countywide (AH)

2. [Staff recommends motion to approve on preliminary reading and advertise for public hearing on September 13, 2011 at 9:30 a.m.:](#) an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Chapter 11, Article 11, Division 1, Section 11-262 and Section 11-271 of the Palm Beach County Code; providing for prohibited activities; providing for penalties; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the code of laws and ordinances; providing for captions; and providing for an effective date. **SUMMARY:** The subject ordinance deletes the prohibition of using a firearm that is potentially inimical to wildlife and dangerous to human safety and from shooting into a natural area from beyond the boundaries of the natural area. This amendment is necessary due to a change in state law, which prohibits a county from adopting any ordinance, rule, or regulation relating to the regulation of firearms and ammunition. Any existing ordinances, rules, or regulations not specifically authorized by the legislature are in violation of state law and must be amended. The ordinance amendment also allows for enforcement of violations by the Groundwater and Natural Resources Protection Board or as provided in Chapter 162, Florida Statutes, Part II. Countywide (AH)

3. [Staff recommends motion to approve on preliminary reading and advertise for public hearing on September 13, 2011 at 9:30 a.m.:](#) an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Chapter 28, Article 2, Division 1, Section 28-22 of the Palm Beach County Code; providing for discharge of firearms; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the code of laws and ordinances; providing for captions; and providing for an effective date. **SUMMARY:** The subject ordinance deletes the prohibition of discharging a firearm east of the line that was delineated in the ordinance, or west within three hundred (300) yards of any structure. This amendment is necessary due to a change in state law, which prohibits a county from adopting any ordinance, rule, or regulation relating to the regulation of firearms and ammunition. Any existing ordinances, rules, or regulations not specifically authorized by the legislature are in violation of state law and must be amended. Countywide (AH)

7. REGULAR AGENDA

A. COUNTY ATTORNEY (Cont'd)

4. [Staff recommends motion to approve on preliminary reading and advertise for public hearing on September 13, 2011 at 9:30 a.m.:](#) an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Chapter 17, Article 4, Division 1, Section 17-128, Section 17-131 and Section 17-136 of the Palm Beach County Code; providing for records of transaction; providing for holding period (sale transactions); providing for secondhand dealers; disposal of property; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the code of laws and ordinances; providing for captions; and providing for an effective date. **SUMMARY:** The subject ordinance requires secondhand dealers to maintain their records and to hold second hand goods in accordance with Florida Statute chapters 538 and 539. This amendment is necessary due to a change in state law, which prohibits a county from adopting any ordinance, rule or regulation relating to the regulation of firearms and ammunition. Any existing ordinances, rules, or regulations not specifically authorized by the legislature are in violation of state law and must be amended. Countywide (AH)

B. PLANNING, ZONING & BUILDING

1. [Staff recommends motion to approve:](#) an Interlocal Agreement with the Village of Palm Springs providing for the annexation of one (1) enclave generally located on the west and east sides of Kirk Road, north of Park Lane. **SUMMARY:** The Board of County Commissioners has directed staff to work with municipalities to strategically address annexations. Chapter 171, Florida Statutes (F.S.), allows annexation of enclaves less than 10 acres through an Interlocal Agreement between the annexing municipality and the County. By Resolution No. 2011-45 adopted on June 23, 2011, the Village of Palm Springs has petitioned the County to enter into such an agreement for the annexation of one (1) enclave consisting of three (3) parcels totaling 1.21 acres, and a portion of Kirk Road right-of way, as identified in Exhibit A of the Interlocal Agreement. The Interlocal Agreement includes the annexation of the Kirk Road right-of-way for service delivery purposes but does not include the transfer of operation and maintenance of this right-of-way. The Village has provided written notice to all owners of real property located in the enclave. The proposed annexation meets the requirements of Chapter 171, F.S., and is consistent with the Intergovernmental Coordination Element of the County's Comprehensive Plan. District 3 (RB)
2. [Staff recommends motion to approve:](#) the voluntary annexation into the Town of Jupiter for a property located in the Unincorporated Protection Area, generally located on the south side of Indiantown Road, east of Jupiter Farms Road. **SUMMARY:** The property owner has requested the annexation of a 3.44-acre parcel into the Town of Jupiter. This voluntary annexation is required through the Town of Jupiter Water Service Agreement entered into with the property owner, dated January 18, 2011, as a condition of connecting to the Town's water system. The property is located within an area of the County known as the Unincorporated Protection Area (UPA), as shown in the map as Attachment A to the Agenda Item. The UPA is defined as all unincorporated lands located outside of the Urban Service Area, as established in the Palm Beach County Comprehensive Plan. Pursuant to the requirements in the Palm Beach County Charter establishing an exclusive method for voluntary annexation outside the Urban Service Area, this annexation in the UPA requires approval by an affirmative vote of at least **FIVE** members of the Board of County Commissioners. The annexation has been processed through the County's review departments, including Fire-Rescue, Engineering, Planning, Zoning, Environmental Resources Management, Parks and Recreation, Water Utilities, County Attorney's Office, Property and Real Estate Management and the Office of Financial Management and Budget Department. The proposed voluntary annexation is bounded to the north, west and east sides by Palm Beach County owned property, and bounded to the south by Loxahatchee River District (LRD). This proposed annexation meets the criteria and requirements of Chapter 171, Florida Statutes. District 1 (RB)

7. REGULAR AGENDA

C. ADMINISTRATION

1. Staff recommends motion to:

A) conceptually approve a Section 108 Loan Program Agreement with America's Sound, Inc. (Company) in the amount of \$592,000, contingent upon the approval of the U.S. Department of Housing & Urban Development (HUD), and upon the receipt of a current property appraisal that demonstrates sufficient collateral coverage;

B) conceptually approve a Brownfields Economic Development Initiative (BEDI) Grant for America's Sound, Inc. in the amount of \$182,451, contingent upon the approval of the U.S. Department of Housing & Urban Development, and upon the receipt of a current property appraisal that demonstrates sufficient collateral coverage;

C) approve an exception to the County's Section 108 Loan Program Criteria to waive the maximum participation of 40% of the project funding amount from the Section 108 Loan Program; and

D) authorize the County Administrator or his designee to sign all loan documents associated with this item.

SUMMARY: America's Sound, Inc. has been in operation since 2002 and has an established clientele throughout the United States, primarily in the Carolinas and Michigan. Locally, America's Sound is the only direct dealer in Palm Beach County for Memphis, Alpine, Pioneer, JVC, Kenwood, DEI, MMATS, and Audison electronics manufacturers. The Section 108 Loan and BEDI Grant will assist the Company in the financing of a renovation of an existing building, which will be used in the manufacturing of audio equipment. The building is located in the Avenue A Revitalization Project area of Belle Glade. The Company will create 35 new full-time equivalent jobs in the next five (5) years. The total project investment is \$912,451 and the sources of funding include \$592,000 from the County's Section 108 Loan Program, \$182,451 from a BEDI Grant, \$48,000 from the County's Energy Efficiency and Conservation Block Grant (EECBG) Revolving Loan Program, and \$90,000 in owner's equity. The Section 108 Loan encompasses 65% of the total project cost due to the difficulty of obtaining bank financing in this geographical area. These are Federal funds that require no local match. All documents are subject to such modifications required for consistency with the loan commitment, compliance with HUD's criteria, and to protect the County's interest. District 6 (DW)

7. REGULAR AGENDA

D. COMMUNITY SERVICES

1. **Staff recommends motion to approve:** Memorandum of Agreement with the Homeless Coalition of Palm Beach County, Inc. (Coalition), establishing a working relationship to advocate and educate on behalf of the homeless and implement the Ten-Year Plan to End Homelessness in Palm Beach County. **SUMMARY:** In 1983, the Coalition was established as a private non-profit corporation to advocate and educate on behalf of the homeless and has continued these efforts to date. On May 1, 2007, the Board of County Commissioners established the Homeless Advisory Board (HAB) to develop and implement a Ten-Year Plan to End Homelessness in Palm Beach County (Ten-Year Plan). The need has been identified to establish a working partnership between both entities to advocate and educate on the issue of homelessness, focus on implementation of the Ten-Year Plan and pursue resources in support of the Ten-Year Plan. The County will staff the Coalition and provide office space at a Human Services location. The Coalition will: transfer designated salary, administration and operational funds received from third parties to the County; take a lead role in the activities of the Homeless Advisory Board's committees in support of advocacy, community outreach, public awareness and education related to homeless and at risk of becoming homeless residents; conduct activities to further the implementation of the Ten-Year Plan; and conduct fundraising activities designed to support and further the goals of the Ten-Year Plan in coordination with the HAB. Funding for the County's obligations under this Agreement is included in the FY 2011 budget and the FY 2012 proposed budget. (Human Services) Countywide (TKF)

2. **Staff recommends motion to adopt:** Resolution repealing and replacing Resolution R2007-0720, as amended by Resolution R2007-1693, providing for composition and an effective date for the Homeless Advisory Board. **SUMMARY:** On May 1, 2007, the Board of County Commissioners established the Homeless Advisory Board to develop and oversee a Ten-Year Plan to End Homelessness in Palm Beach County. The need has been identified to reduce membership and change the direction of the Homeless Advisory Board from one of plan development to a board whose focus is on implementation. The proposed Resolution also reduces the membership from 36 to 19 members. Additional reductions are expected in the future. (Human Services) Countywide (TKF)

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8. BOARD APPOINTMENTS

A. **ENVIRONMENTAL RESOURCES MANAGEMENT**
(Groundwater and Natural Resources Protection Board)

1. **Staff recommends motion to approve:** the reappointment of one at-large member to Groundwater and Natural Resources Protection Board (GNRPB) for a term of three (3) years beginning August 16, 2011, through August 15, 2014:

<u>Nominee</u>	<u>Representing</u>	<u>Seat No.</u>	<u>Nominated By</u>
Jonathan Shaw	Hydrologist or Hydrogeologist	6	Commissioner Burdick Commissioner Abrams Commissioner Marcus

SUMMARY: Ordinance 92-20, as amended, and Article 2.G.3.F. of the Unified Land Development Code (ULDC) provides for a seven (7) member GNRPB. The membership consists of one (1) professional engineer, one (1) attorney, one (1) hydrologist or hydrogeologist, one (1) citizen with business management expertise, one (1) biologist or chemist, one (1) member of an environmental organization, and one (1) concerned citizen of PBC. Ordinance 92-20, as amended, and Article 2.G.3.F. of the ULDC requires Seat No. 6 to be filled by a hydrologist or hydrogeologist. No other nominations were received. Countywide (SF)

B. **ADMINISTRATION**
(Water Resources Task Force)

1. **Staff recommends motion to ratify:** Marlene Ross of the City of Boynton Beach as an alternate for one of the League of Cities seats on the Palm Beach County Water Resources Task Force (Seat No. 2), effective August 16, 2011. **SUMMARY:** The Water Resources Task Force is comprised of 14 members: six (6) City elected officials; one (1) County Commissioner; one (1) special independent district water and/or wastewater provider or utility water or wastewater provider representative; one (1) Lake Worth Drainage District representative; one (1) drainage/water control district representative; one (1) South Florida Water Management District Governing Board member; one (1) environmental representative; one (1) land owner actively farming to represent agricultural interests; one (1) Indian Trail Improvement District representative. The resolution also requires designated alternates for each seat. Due to the recent resignation of one of the League of Cities Task Force alternates, a new alternate submitted by the League of Cities needs to be ratified by the Board of County Commissioners. Countywide (MJ)

8. BOARD APPOINTMENTS

C. **CRIMINAL JUSTICE COMMISSION**
(Criminal Justice Commission Board)

1. **Staff recommends motion to approve:** the recommendations of the Economic Council to the Criminal Justice Commission for Barbara Cheives, James Barr, Douglas Duncan, and William Kramer to serve as a private sector member. Their term will begin August 16, 2011 and expire December 31, 2013 as follows:

<u>Reappoint Nominees</u>	<u>Seat No.</u>	<u>Term to Expire</u>
Ms. Barbara Cheives	23	12/31/13
James Barr	22	12/31/13
Douglas Duncan	21	12/31/13
William Kramer	33	12/31/13

SUMMARY: The Criminal Justice Commission (CJC) is comprised of 33 members including elected officials and representatives from private and public sectors. The 12 private sector members are nominated for three (3) year terms by the Economic Council of Palm Beach County, Inc. and appointed by the Board of County Commissioners. The Council has nominated the individuals for appointment effective August 16, 2011. Countywide (GB)

(Criminal Justice Commission Board)

2. **Staff recommends motion to approve:** the recommendations of the Economic Council to the Criminal Justice Commission for George Elmore to serve as a private sector member. His term will begin August 16, 2011 and expire December 31, 2013 as follows:

<u>Reappoint Nominee</u>	<u>Seat No.</u>	<u>Term to Expire</u>
Mr. George Elmore	20	12/31/13

SUMMARY: The Criminal Justice Commission (CJC) is comprised of 33 members including elected officials and representatives from private and public sectors. The 12 private sector members are nominated for three (3) year terms by the Economic Council of Palm Beach County, Inc. and appointed by the Board of County Commissioners. The Council has nominated Mr. George Elmore for reappointment effective August 16, 2011. Mr. Elmore has disclosed that he has an ownership position in a business, Hardrives Construction, Inc. that contracts with the County for highway construction and repaving. The Criminal Justice Commission Board provides no regulation, oversight, management, or policy-setting recommendations regarding the subject contract(s). Disclosure of this contractual relationship at a duly noticed public meeting is being provided in accordance with the provisions of Sect. 2-443, of the Palm Beach County Code of Ethics. Countywide (GB)

8. BOARD APPOINTMENTS

D. PALM TRAN
(Palm Tran Service Board)

1. Staff recommends motion to approve: reappointment of two (2) incumbent members and four (4) new appointments from the following categories to the Palm Tran Service Board:

	Nominee	Category & Seat Number	Term to Expire	Nominated By
Reappointments	Roberta Van Sickle	Disability Advocate, Seat # 2	8/15/2013	Comm. Burdick Comm. Marcus Comm. Taylor
	Frank Stanzione	Fixed Route Bus Operator, Seat # 10	8/15/2013	Comm. Burdick Comm. Marcus Comm. Vana Comm. Taylor
New Appointments	Wendy Harrison	Elected Municipal Official of a Municipality located within Palm Beach County, Seat # 4	8/15/2013	Comm. Marcus
	Robert Templeton	Business Community Representative Seat # 5	8/15/2013	Comm. Burdick
	Maurice Jacobson	Certified Paratransit User, Seat # 8	8/15/2013	Comm. Abrams
	Barry O'Brien	Citizen at Large, Seat # 11	6/28/2012	Comm. Abrams
Select One		<u>OR</u>		
	Leo Plevy	Citizen at Large, Seat # 11	6/28/2012	Comm. Aaronson
		<u>OR</u>		
	John Wilson	Citizen at Large, Seat # 11	6/28/2012	Comm. Marcus

SUMMARY: The Palm Tran Service Board was established December 18, 2001 (R2001-2241), as amended April 2, 2002 (R2002-0485), and is currently comprised of 13 at-large voting members from 13 categories appointed by the Palm Beach County Board of County Commissioners. Members may serve two (2) year terms with no limit on reappointments. The above incumbents of Seats 2 and 10 are members in good standing and have expressed their desire to continue to serve subsequent terms. The nominees for Seats 4, 5, 8 and 11 were nominated as a result of memos dated April 21, 2011 and July 14, 2011 that were circulated to the Board of County Commissioners along with the Board Appointment Nomination Forms. Countywide (DR) (Palm Tran)

E. COMMISSION DISTRICT APPOINTMENTS

AUGUST 16, 2011

9. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

B. COUNTY ATTORNEY

**BOARD OF COUNTY COMMISSIONERS
BOARD MEETING
PALM BEACH COUNTY, FLORIDA**

ADDITIONS, DELETIONS, & SUBSTITUTIONS

AUGUST 16, 2011

<u>PAGE</u>	<u>ITEM</u>	
8	2C-6	<u>ADD-ON:</u> Proclamation declaring the month of August 2011 as “Firefighter Appreciation Month” in Palm Beach County. (Sponsored by Commissioner Vana)
8	2C-7*	<u>ADD-ON:</u> Certificates of Appreciation to the Chief Deputy Michael Gauger and the Palm Beach County Sheriff’s Office for donation of food at the District 7 Hurricane Preparedness Town Hall Meeting; and to Legislative Affairs Director Fred Angelo and the Professional Firefighters/Paramedics of Palm Beach County, Inc. – IAFF, Local 2928 for donation of food at the District 7 Charter Review Town Hall Meeting. (Sponsored by Commissioner Taylor)
9	3A-1	<u>REVISED SUMMARY:</u> The Office of Small Business Assistance, Department of Airports and Palm Tran are participating with the South Florida Water Management District, School District of Palm Beach County, the City of West Palm Beach, <u>the City of Riviera Beach</u> , the Center for Technology, Enterprise & Development, Inc. (TED Center) and the Paragon Foundation, Inc., to present the 2011 Business Matchmaker Conference & Expo (a statewide conference). This is the 5th Annual Matchmaker Conference & Expo held in Palm Beach County. Each participating entity will contribute \$2,000 and the County’s contribution will be broken down as follows: the Office of Small Business Assistance (\$2,000), Department of Airports (\$2,000) and Palm Tran (\$2,000). Payment will be made on or before August 19, 2011 to the Education Foundation of Palm Beach County. The conference and expo will provide Small Business Enterprise owners an opportunity to collaborate with larger businesses in an effort to increase business opportunities and knowledge of programs offered by the above listed governmental partners. <u>Countywide</u> (TKF) (Admin/OSBA)
11	3C-11	<u>REVISED TITLE:</u> Staff recommends motion to approve: A) a Contract with DP Development of the Treasure Coast, LLC (DPD), in the amount of \$1,115,574.05 for the construction of Central Boulevard, Church Street to Longshore Drive (Project); and B) a Budget Amendment of \$16,542 in the Road Impact Fee Fund – Zone 1 to recognize reimbursement funding from AT&T for \$2,875 and Loxahatchee River District for \$13,677 <u>\$13,667</u> and appropriate it to Central Boulevard, Church Street to Longshore Drive. (Engineering)
12	3C-12	<u>DELETED:</u> Staff recommends motion to receive and file: Change Order No. 17 in the amount of \$78,891.40 and a time extension of four (4) days to Contract Nos. 2000503 and 2000504 with Ranger Construction Industries, Inc., for construction of Okeechobee Boulevard from Royal Palm Beach High School Entrance to east of Florida’s Turnpike. (Engineering) (BCC approval not required)

- 18 3G-2 **REVISED TITLE & SUMMARY: Staff recommends motion to approve:**
- A)** Budget Amendment of ~~\$30,391,407~~ \$30,691,407 in the \$15M Public Improvement Revenue Bonds, Series 2011 (Ocean Avenue Lantana Bridge) capital fund to budget bond proceeds, costs of issuance and a transfer to the \$15 M Public Improvement Revenue Bonds, Series 2011 (Max Planck Florida Corporation Project) Capital Fund; and **B)**...
- SUMMARY:** On July 19, 2011, the Board approved the sale of the ~~\$30,391,407~~ \$30,691,407 Public Improvement Revenue Bonds, Series 2011 (Ocean Avenue Lantana Bridge and Max Planck Florida Corporation Projects) to SunTrust Bank. These budget amendments set up the budget for the sale of the Series 2011 Bonds, the capital project funds and the costs of issuance for the bonds. Countywide (PFK) (OFMB)
- 19 3H-1 **REVISED TITLE & SUMMARY: Staff recommends motion to approve:** Amendment No. ~~3~~ 4 to Contract with The BG Group, LLC (R2008-1055) to implement the third renewal of the annual Demolition contract with a maximum value of \$500,000. **SUMMARY:** Amendment No. ~~3~~ 4 is a renewal to the Annual Contract Demolition which was awarded to The BG Group, LLC. The contractor will continue to perform on demolition projects for various facilities. The annual Demolition contract is an indefinite-quantity contract and this renewal has a maximum value of \$500,000. The renewal term is for twelve (12) months or until \$500,000 in work orders are issued in this term. Staff is bringing forward the amendment at this time based on expiration of the term retroactive to June 15, 2011 and extending through June 14, 2012. All terms of the original contract remain in effect. This is the third of four extensions allowed by the Contract. Small Business Enterprise (SBE) participation goal for this contract is 15%. The BG Group's SBE participation for work orders issued to date is 94%. The BG Group, LLC is a Palm Beach County company and a certified SBE contractor. (FDO Admin) Countywide (JM) (FDO)
- 21 3H-7 **DELETED: Staff recommends motion to approve:** seven (7) annual contracts for the construction of pavilions, shelters, and sheds with the following pre-qualified contractors:...(FDO) (Further staff review)
- 22 3H-9 **REVISED TITLE & SUMMARY: Staff recommends motion to approve:** a Contract with D.S. Eakins Construction Corporation in the amount of \$287,000 to provide required on-going maintenance at the County's Mecca Property (~~a/k/a the Scripps site~~). **SUMMARY:** The Contract consists of mowing maintenance, canal cleaning, and road maintenance for a one (1) year period. The mowing of the property is required to maintain and control exotic overgrowth and improve site security by keeping vegetation low enough to spot trespassers. Canal cleaning is necessary to ensure proper drainage and the road maintenance is necessary to allow access to WUD's pump station, the fuel tanks at the water control pump stations and for security. Maintenance of the property will support the development potential and associated value of the property. This Contract is funded from the General Fund. The Small Business Enterprise (SBE) goal is 15%. The SBE participation in this Contract is 15%. The contract duration is 365 days. The contract was competitively bid and D.S. Eakins Construction Corporation is a Palm Beach County company. (FDO)
- 22 3H-10 **DELETED: Staff recommends motion to approve:** the Cherry Road Complex Plat in unincorporated West Palm Beach. (FDO) (Further staff review)
- 31 3Q-3 **REVISED TITLE: Staff recommends motion to:**
- A) receive and file** a Grant Adjustment Notice from the Florida Department of Law Enforcement (FDLE) to extend the expiration date from June 30, 2011, to September 30, 2011; and
- B) approve** the Tenth Amendment to the Agreement (R2001-2131) for \$238,915 with the Office of the Public Defender for re-entry services extending the Agreement from June 30, 2011, to September 30, 2011 and increasing the award by \$45,515. (CJC)

REVISED SUMMARY: Staff recommends motion to approve on preliminary reading and advertise for public hearing on September 13, 2011 at 9:30 a.m.: a Resolution of the Board of County Commissioners of Palm Beach County, Florida, sitting as the Child Care Facilities Board, adopting the Palm Beach County Rules and Regulations governing Family Day Care Facilities; amending Article VIII of the Rules and Regulations governing Family Day Care in Palm Beach County; providing for repeal of laws in conflict; providing for inclusion in the code of laws and ordinances; providing for severability; and providing for an effective date. **SUMMARY:** The Board of County Commissioners, pursuant to a Special Act of the State of Florida, serves as the Child Care Facilities Board. This amendment requires all loaded firearms stored or left on a premise where a minor is likely to gain access to the firearm without the lawful permission of the minor's parent or the person in charge of the minor be kept in a securely locked box or container, ~~except when the person is carrying the firearm on his or her body or within such close proximity thereto that he or she can retrieve and use it as easily and quickly as if he or she carried it on his or her body.~~ This amendment is necessary due to a change in state law, which prohibits a county from adopting any ordinance, rule, or regulation relating to the regulation of firearms and ammunition. Any existing ordinances, rules, or regulations not specifically authorized by the legislature are in violation of state law and must be amended. Countywide (AH) (County Attorney)

ADD-ON, REVISED MOTION/TITLE & SUMMARY: Staff recommends motion to:

A) adopt a Resolution approving a Florida Department of Transportation (FDOT) Joint Participation Agreement (JPA) FM No. 430296-1-84-01 in the amount of \$863,400 (100% State) for the operating costs and implementation of increased service during peak hours for Belle Glade routes 47 and 48;

B) approve an upward Budget Amendment of \$863,400 in the Palm Tran Grant Fund to reconcile the budget to account for this award; ~~and~~

C) approve an upward Budget Amendment of \$863,400 in the Palm Tran Operating Fund in order to reconcile to the transfer made from the Palm Tran Grants Fund; and

D) approve an increase of nine (9) positions in Palm Tran's personnel complement.

SUMMARY: Palm Tran offers service in between South Bay and Canal Point including Belle Glade and Pahokee, ~~the rural area of Palm Beach County~~ with two (2) local routes, Routes 47 and 48. These two (2) routes currently operate on an hourly schedule/service frequency. These ~~two (2)~~ routes were originally planned to have expanded service back in 2008, but funding cut backs curtailed this plan. Palm Tran's Transportation Development Plan (TDP), has identified these routes as being prime candidates for increased service especially during peak hours. This three (3) year JPA will allow Palm Tran to provide 30 minute service during peak times (morning and afternoon). The funding will also provide all day 30 minute service for Route 47 which serves the new Hospital. The JPA funds will provide 100% of the operating cost for the increased service. No additional county funds are required for this service or as a match to this grant. The JPA will be in effect until ~~August 31st of 2014~~ August 31, 2014, and FDOT will allocate the same amount of funds for FY 2013 and FY 2014 totaling \$2,590,200 in operating funds for three (3) years. Countywide (DR) (Palm Tran)

NOTE: Items that were revised, added, deleted, or backup submitted and were not listed on the addition/deletion sheet distributed to the Board the prior day are noted with an asterisk (*).